



Luann G. Welmer, Clerk-Treasurer

**CITY COUNCIL MEETING
CITY HALL
TUESDAY, MARCH 3, 2015
6:00 O'CLOCK P.M.**

I. Meeting Called to Order

- A. Opening Prayer
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

II. Unfinished Business Requiring Council Action

- A. Second Reading and Public Hearing of an Ordinance entitled "ORDINANCE NO. __, 2015 AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2015." (Columbus Police Department-Body Cameras) Chief Rohde
- B. Reading of a Resolution entitled "RESOLUTION NO. __, 2015, A RESOLUTION CONFIRMING RESOLUTION NO. 3. 2015, THE DECLARATION OF A CERTAIN AREA PROPOSED TO BE WITHIN THE CITY OF COLUMBUS, AN ECONOMIC REVITALIZATION AREA AND QUALIFYING CERTAIN REAL PROPERTY FOR PROPERTY TAX ABATEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE STATEMENT OF BENEFITS FORM." (LifeDesigns-McKinley, LLC) Carl Malysz
- C. Second Reading and Public Hearing of an Ordinance entitled "ORDINANCE NO. __, 2015 AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2015." (Aviation Department Self-Fueling Needs) Jeff Logston

- D. Second Reading of an Ordinance entitled "ORDINANCE NO. __, 2015 AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS BETWEEN FUNDS FOR THE BUDGET YEAR 2015." (Aviation General Fund to Aviation Self-Fueling Non-Reverting Fund) Jeff Logston
- E. First Reading of an Ordinance entitled "ORDINANCE NO. __, 2015 AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION OF FUNDS FOR THE BUDGET YEAR 2015." (Road Overlay and Reconstruction) Beth Fizel

III. New Business Requiring Council Action

- A. First Reading of an Ordinance No. __, 2015 AN ORDINANCE OF THE CITY OF COLUMBUS, INDIANA, SUPPLEMENTING AND AMENDING ORDINANCE NO. 45-2008, ADOPTED ON DECEMBER 2, 2008, ALL FOR THE PURPOSE OF AUTHORIZING THE WAIVER OF CERTAIN CONTRACTURAL RIGHTS OF THE CITY OF COLUMBUS, INDIANA, AND APPROVING CERTAIN RELATED MATTERS IN CONNECTION THEREWITH (Refinancing Sewer Bond) Keith Reeves
- B. Reading of a Resolution entitled "RESOLUTION NO. __, 2015 A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS TO AMEND SPECIFIC CAPITAL IMPROVEMENT PROJECTS AS THE AMENDED 2015 CAPITAL BUDGET." Matt Caldwell
- C. Reading of an Ordinance entitled "ORDINANCE NO. __, 2015 AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM "RM" (RESIDENTIAL: MULTI-FAMILY) AND "RT" (RESIDENTIAL: TWO-FAMILY) TO "RS2" (RESIDENTIAL" SINGLE-FAMILY 2)." (Oak Ridge Rezoning) Jeff Bergman
- D. Reading of an Ordinance entitled "ORDINANCE NO. __, 2015 AN ORDINANCE AMENDING THE SHADOW CREEK FARMS PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN." (Shadow Creek Farms Preliminary PUD Modification) Jeff Bergman

- E. Reading of a Resolution entitled “RESOLUTION NO. ____, 2015
A RESOLUTION TO AUTHORIZE THE CITY OF COLUMBUS
REDEVELOPMENT COMMISSION TO EXPEND FUNDS IN
EXCESS OF \$500,000 FOR ROAD RECONSTRUCTION IN THE
CENTRAL TIF DISTRICT.” Jeff Logston

IV. Other Business

- A. Standing Committee and Liaison Reports
- B. The next regular meeting is scheduled for **Tuesday, March 17, 2015, 6:00 p.m. in City Hall.**
- C. Adjournment

ORDINANCE NO. __, 2015

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION
OF FUNDS FOR THE BUDGET YEAR 2015**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, the Mayor and the City Council feel it appropriate to address ongoing public safety needs by equipping the Columbus Police Department with body cameras; and

WHEREAS, it is necessary to appropriate additional funds from the General Fund in the maximum amount of \$70,000 for the equipment purchase; and

WHEREAS, there are additional funds in the amount of \$70,000 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that the funds in the amount of Seventy Thousand Dollars (\$70,000.00) shall be paid during the 2015 budget year and the same is hereby appropriated and ordered to be paid from the General Fund for the City of Columbus, Indiana and for the purpose of purchasing body cameras for the Columbus Police Department.

BE IT FURTHER ORDAINED, that the above additional appropriation shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect these additional appropriations.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2015 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the ____ day of _____, 2015 at _____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana

RESOLUTION NO. _____, 2015

**A RESOLUTION CONFIRMING RESOLUTION No. 3, 2015,
THE DECLARATION OF A CERTAIN AREA PROPOSED TO BE WITHIN THE
CITY OF COLUMBUS, AN ECONOMIC REVITALIZATION AREA AND
QUALIFYING CERTAIN REAL PROPERTY FOR PROPERTY TAX
ABATEMENT AND AUTHORIZING THE MAYOR TO EXECUTE
THE STATEMENT OF BENEFITS FORM**

**LIFEDESIGNS-MCKINLEY, LLC. AT
HPI/McKinley Ave (Q/359C) - Lot 5
HPI/McKinley Ave (Q/359C) - Lot 6
HPI/McKinley Ave (Q/359C) - Block B**

WHEREAS, the City of Columbus (hereinafter “City”), Indiana, recognizes the need to stimulate growth and maintain a sound economy; and

WHEREAS, the Columbus Common Council (“Council”) further recognizes that it is in the best interest of the City to provide incentives to stimulate investment within the community; and

WHEREAS, Indiana Code 6-1.1-12.1 et seq. provides for a program of real property and personal property tax abatement within “Economic Revitalization Areas” (“ERA”); and

WHEREAS, Indiana Code 6-1.1-12.1 et seq. empowers the Council to designate Economic Revitalization Areas by following a procedure involving adoption of a preliminary declaratory resolution, providing public notice, conducting a public hearing and adopting a final resolution confirming the declaratory resolution or a modified version of the declaratory resolution or rescinding the declaratory resolution; and

WHEREAS, LifeDesigns-McKinley, LLC is scheduled to become the owners of the entire fee interest in certain real estate which will be entirely in the City, which is legally described in **Exhibit A** (attached hereto and incorporated herein); and

WHEREAS, during a previous Council meeting, the Council received evidence about whether the area legally described on **Exhibit A** should be designated as an Economic Revitalization Area and on February 17, 2015, the Council adopted Declaratory Resolution, Columbus Common Council Resolution No. 3, 2015 (hereinafter “Resolution No. 3, 2015”), designating the area described on **Exhibit A** as an Economic Revitalization Area, and fixed 6:00 p.m., on March 3, 2015, in the Council Chambers, Columbus City Hall, 123 Washington Street, Columbus, Indiana, for a Public Hearing for the receiving of any remonstrances or objections from any person in or affected by the area legally described on **Exhibit A** or its designation as an Economic Revitalization; and

WHEREAS, proper Legal Notice was published indicating the adoption of Resolution No. 3, 2015, and stating when and where the Public Hearing would be held; and

WHEREAS, at such Public Hearing, any and all additional evidence and testimony along with any and all remonstrances and objections presented were considered, and such additional evidence and testimony either confirm the Council's determination that the said real estate will be an ERA qualified for property tax abatement or did not refute that determination; and

WHEREAS, INDIANA CODE 6-1.1-12.1 et seq. allows for property tax abatement of property taxes attributable to the rehabilitation/redevelopment of real property in an ERA; and

WHEREAS, LifeDesigns-McKinley, LLC filed an Application and a Statement of Benefits form dated January 5, 2015 requesting the approval of a ten (10) year real property tax deduction in the amount of 100% per year pursuant to INDIANA CODE 6-1.1-12.1 et seq., for the purpose of improving real estate within an ERA located at HPI/McKinley Ave (Q/359C) - Lot 5, HPI/McKinley Ave (Q/359C) - Lot 6, HPI/McKinley Ave (Q/359C) - Block B, Columbus, Indiana (said Statement of Benefits form is attached hereto and incorporated herein as **Exhibit B**); and

WHEREAS, in accordance with Indiana Code at 6-1.1-12.1-3 (e) (11) (A), the facility is a multifamily facility that contains at least twenty percent (20%) of the units available for use by low and moderate income individuals, and LifeDesigns-McKinley, LLC has indicated occupancy restriction to 100% low or moderate income persons who are also subject to disabilities.

WHEREAS, pursuant to INDIANA CODE 6-1.1-12.1 et seq., the Common Council shall determine the amount and term of the deduction; and

WHEREAS, the Common Council of the City of Columbus, Indiana, deems it to be in the best interest of the City of Columbus, Indiana, in order to stimulate economic development and provide for additional or retained jobs, that such ERA be established and real property tax abatement be granted.

NOW, THEREFORE, BE IT RESOLVED THE COLUMBUS COMMON COUNCIL THAT:

Section 1. The Columbus Common Council hereby takes "final action" as that phrase is contemplated in Indiana Code 6-1.1-12.1 et seq. with regard to the adoption of Columbus Common Council Resolution No. 3, 2015, approved on February 17, 2015.

Section 2. The Columbus Common Council hereby confirms certain findings made with Resolution No. 3, 2015, and make such additional findings and determinations as follows:

1. That said described property in **Exhibit A** will be located within the jurisdiction of Columbus Common Council for purposes set forth in Indiana Code 6-1.1-12.1-2 et seq.; and
2. That this Council has determined, based on information provided by the applicant and other evidence before the Council, that this site has become undesirable for or impossible of normal development and occupancy inasmuch as normal development and **growth has not occurred** on the subject property and is not expected to occur without the current proposed additional financial incentives; and
3. That the improvement of the real estate described herein would be to the benefit and welfare of all citizens and taxpayers of the City of Columbus; and
4. That upon designation of the Area described in **Exhibit A** as an ERA, the subject property will be redeveloped and will provide employment opportunities to residents of the City of Columbus and the County of Bartholomew.

Section 3. The ERA designation will terminate ten (10) years after passage of this Resolution. However, this proposed termination does not limit the period of time the applicant or the successor owner is entitled to receive a partial abatement of property taxes relative to redevelopment or rehabilitation activities completed or the installation of new manufacturing equipment before the date the ERA designation is terminated.

Section 4. Two (2) copies of **Exhibit A**, which describes the boundaries of the Economic Revitalization Area, are on file in the office of Clerk-Treasurer of Columbus, Indiana, and the Common Council directs the Clerk-Treasurer to maintain for public inspection two (2) copies of said **Exhibit A** in the files of the Clerk-Treasurer.

Section 5. The Council hereby confirms Columbus Common Council Resolution No. 3, 2015, adopted on February 17, 2015, and the designated area described on **Exhibit A** will become an ERA.

Section 6. A certified copy of this Resolution shall be sent to the Bartholomew County Auditor.

Section 7. The Tax Abatement Application and Statement of Benefits of LifeDesigns-McKinley, LLC meets the requirements for filing of tax abatement, to-wit:

1. The estimated value of the proposed redevelopment or rehabilitation to the real estate is reasonable for projects of that nature; and
2. The facility will be a multifamily facility that contains at least twenty percent (20%) of the units available for use by low and moderate income individuals,

and LifeDesigns-McKinley, LLC has indicated occupancy restriction to 100% low or moderate income persons who are also subject to disabilities.

3. The estimate of the number of individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property; and
4. The estimate of the annual salaries of those individuals who will be employed or whose employment will be retained can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property; and
5. Any other benefits about which information was requested are benefits that can be reasonably expected to result from the proposed redevelopment or rehabilitation of its real property; and
6. The totality of benefits is sufficient to justify the deduction.
7. LifeDesigns-McKinley, LLC's project represents a major capital investment into the improvement of real estate, and compliments the initiatives of the City of Columbus for economic development.
8. The deduction term allowed for real property improvements shall be allowed for 10 years;
9. The deduction amount for real property improvements shall be 100% for each year.
10. The Mayor of the City of Columbus, Indiana, is hereby authorized by the Common Council of the City of Columbus, Indiana, to execute the Statement of Benefits form attached hereto as **Exhibit B** for purposes of facilitating the real property tax abatement of LifeDesigns-McKinley, LLC.

Section 8. The sections, paragraphs, sentences, clauses and phrases of this Resolution are separable, and if any phrase, clause, sentence, paragraph or section of this Resolution shall be declared unconstitutional, invalid or unenforceable by the valid *judgment or decree of a court of competent jurisdiction, such unconstitutionality, invalidity, or under enforceability shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Resolution.*

Section 9. This Resolution shall be effective immediately upon its passage, subject to the appeal proceedings through the court action contemplated by Indiana Code 6-1.1-12.1 et seq.

ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA, on
this the _____ day of _____, 2015, by a vote of _____ ayes and _____
nays.

Kristen S. Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Luann Welmer
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this _____ day of
_____, 2015 at _____ o'clock _____ M.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this _____ day of _____, 2015, at
_____ o'clock _____ M.

Kristen S. Brown
Mayor of the City of Columbus, Indiana

Exhibit A

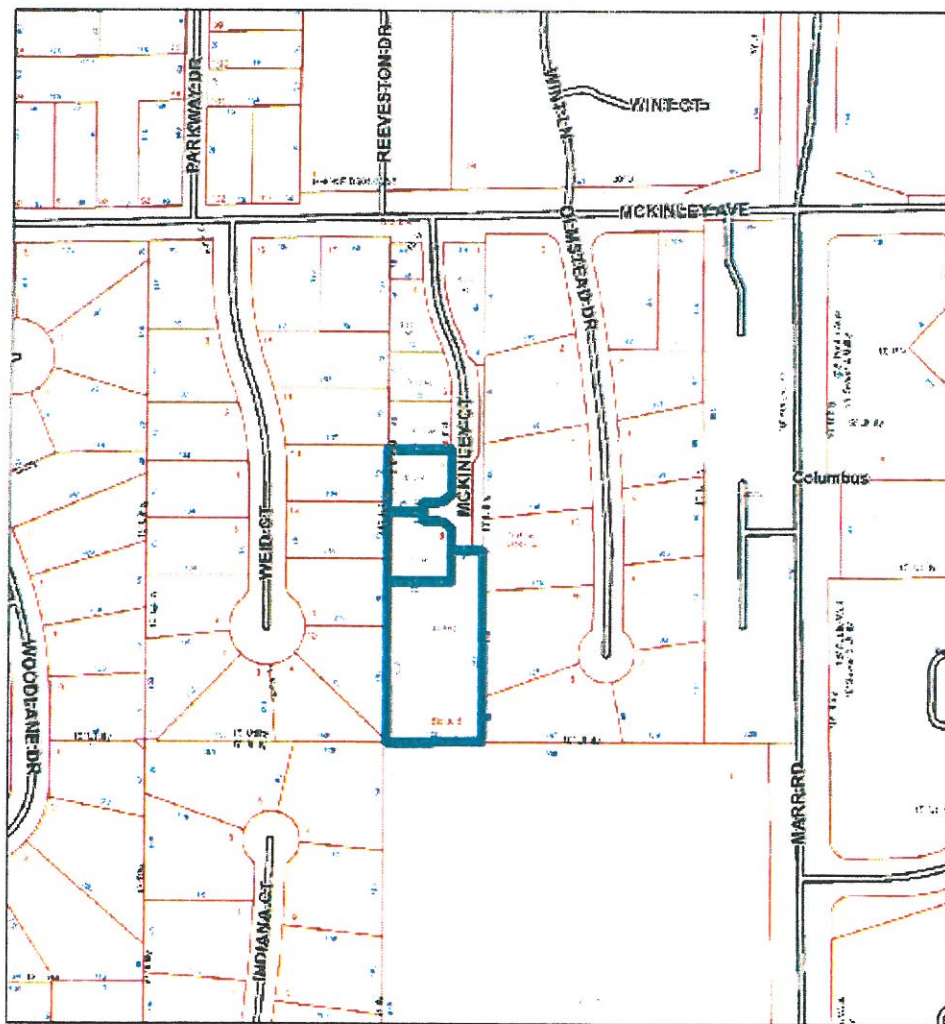
Legal Description of LifeDesigns-McKinley, LLC Property

HPI/McKinley Ave (Q/359C) - Lot 5 - Parcel Number: 03-96-29-210-001.505-00539°North- 855.GIS.3939

HPI/McKinley Ave (Q/359C) - Lot 6 - Parcel Number: 03-96-29-210-001.506-00539°North- 855.GIS.3939

HPI/McKinley Ave (Q/359C) - Block B - Parcel Number: 03-96-29-210-001.507-00539°North- 855.GIS.3939

McKinley Ct, Columbus, IN



Aug. 21 12, 2014

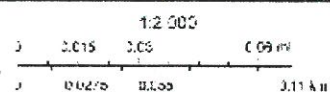


Exhibit B

Statement of Benefits for LifeDesigns-McKinley, LLC Property



STATEMENT OF BENEFITS REAL ESTATE IMPROVEMENTS

State Form 51767 (R6 / 10-14)

Prescribed by the Department of Local Government Finance

This statement is being completed for real property that qualifies under the following Indiana Code (check one box):

- ☒ Redevelopment or rehabilitation of real estate improvements (IC 6-1.1-12.1-4)
☐ Residentially distressed area (IC 6-1.1-12.1-4.1)

INSTRUCTIONS:

- This statement must be submitted to the body designating the Economic Revitalization Area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitalization Area. Otherwise, this statement must be submitted to the designating body BEFORE the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction.
- The statement of benefits form must be submitted to the designating body and the area designated an economic revitalization area before the initiation of the redevelopment or rehabilitation for which the person desires to claim a deduction.
- To obtain a deduction, a Form 322/RE must be filed with the County Auditor before May 10 in the year in which the addition to assessed valuation is made or not later than thirty (30) days after the assessment notice is mailed to the property owner if it was mailed after April 10. A property owner who failed to file a deduction application within the prescribed deadline may file an application between March 1 and May 10 of a subsequent year.
- A property owner who files for the deduction must provide the County Auditor and designating body with a Form CF-1/Real Property. The Form CF-1/Real Property should be attached to the Form 322/RE when the deduction is first claimed and then updated annually for each year the deduction is applicable. IC 6-1.1-12.1-5.1(b)
- For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. For a Form SB-1/Real Property that is approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. IC 6-1.1-12.1-7

| |
|---|
| 20__ PAY 20__ |
| FORM SB-1 / Real Property |
| PRIVACY NOTICE |
| Any information concerning the cost of the property and specific salaries paid to individual employees by the property owner is confidential per IC 5-1.1-12.1-5.1. |

| SECTION 1 TAXPAYER INFORMATION | | | | | |
|--|--------------------|------------------------------------|---|--|----------------|
| Name of taxpayer LifeDesigns, Inc. (Request is on behalf of LifeDesigns-McKinley, LLC, a to-be-formed entity.) | | | | | |
| Address of taxpayer (number and street, city, state, and ZIP code) 200 East Winslow Drive, Bloomington, IN 47401 | | | | | |
| Name of contact person Susan Rinne, CEO | | Telephone number (800) 875-9615 | | E-mail address srinne@lifedesignsinc.org | |
| SECTION 2 LOCATION AND DESCRIPTION OF PROPOSED PROJECT | | | | | |
| Name of designating body City of Columbus | | | | Resolution number | |
| Location of property Lot 5, Lot 6, and Block B, McKinley Ct, Columbus, 47201 | | County Bartholomew | | DLGF taxing district number 03-005 | |
| Description of real property improvements, redevelopment, or rehabilitation (use additional sheets if necessary) The project involves the new construction of multifamily residential facilities for people with developmental or physical disabilities, and 100% of the residential units will be available for use by low- and moderate-income individuals. | | | | Estimated start date (month, day, year) 12/01/2015 | |
| | | | | Estimated completion date (month, day, year) 08/31/2016 | |
| SECTION 3 ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT | | | | | |
| Current number 0.00 | Salaries \$0.00 | Number retained 0.00 | Salaries \$0.00 | Number additional 5.25 | \$ |
| SECTION 4 ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT | | | | | |
| | | | REAL ESTATE IMPROVEMENTS | | |
| | | | COST | | ASSESSED VALUE |
| Current values | | | | | 36,500.00 |
| Plus estimated values of proposed project | | | | | 263,524.00 |
| Less values of any property being replaced | | | | | 0.00 |
| Net estimated values upon completion of project | | | | | 300,024.00 |
| SECTION 5 WASTE CONVERTED AND OTHER BENEFITS PROMISED BY THE TAXPAYER | | | | | |
| Estimated solid waste converted (pounds) 0.00 | | | Estimated hazardous waste converted (pounds) 0.00 | | |
| Other benefits | | | | | |
| SECTION 6 TAXPAYER CERTIFICATION | | | | | |
| I hereby certify that the representations in this statement are true. | | | | | |
| Signature of authorized representative <i>Susan Rinne</i> | | | | Date signed (month, day, year) 1/5/2015 | |
| Printed name of authorized representative Susan Rinne | | | | Title CEO | |

Exhibit B (continued)

Statement of Benefits for LifeDesigns-McKinley, LLC Property

| FOR USE OF THE DESIGNATING BODY | | | | | | | | | | | | |
|---|---------------------------------|---------------------------------|--|---|---------------------------------|-----------------------------------|---|---------------------------------|---------------------------------|---------------------------------|---------------------------------|----------------------------------|
| <p>We find that the applicant meets the general standards in the resolution adopted or to be adopted by this body. Said resolution, passed or to be passed under IC 6-1.1-12.1, provides for the following limitations</p> | | | | | | | | | | | | |
| <p>A. The designated area has been limited to a period of time not to exceed _____ calendar years* (see below). The date this designation expires is _____.</p> | | | | | | | | | | | | |
| <p>B. The type of deduction that is allowed in the designated area is limited to:</p> <table border="0"><tr><td>1. Redevelopment or rehabilitation of real estate improvements</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr><tr><td>2. Residentially distressed areas</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr></table> | | | 1. Redevelopment or rehabilitation of real estate improvements | <input type="checkbox"/> Yes | <input type="checkbox"/> No | 2. Residentially distressed areas | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | |
| 1. Redevelopment or rehabilitation of real estate improvements | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | |
| 2. Residentially distressed areas | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | |
| <p>C. The amount of the deduction applicable is limited to \$ _____</p> | | | | | | | | | | | | |
| <p>D. Other limitations or conditions (specify) _____</p> | | | | | | | | | | | | |
| <p>E. Number of years allowed:</p> <table border="0"><tr><td><input type="checkbox"/> Year 1</td><td><input type="checkbox"/> Year 2</td><td><input type="checkbox"/> Year 3</td><td><input type="checkbox"/> Year 4</td><td><input type="checkbox"/> Year 5 (* see below)</td></tr><tr><td><input type="checkbox"/> Year 6</td><td><input type="checkbox"/> Year 7</td><td><input type="checkbox"/> Year 8</td><td><input type="checkbox"/> Year 9</td><td><input type="checkbox"/> Year 10</td></tr></table> | | | <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input type="checkbox"/> Year 5 (* see below) | <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> Year 10 |
| <input type="checkbox"/> Year 1 | <input type="checkbox"/> Year 2 | <input type="checkbox"/> Year 3 | <input type="checkbox"/> Year 4 | <input type="checkbox"/> Year 5 (* see below) | | | | | | | | |
| <input type="checkbox"/> Year 6 | <input type="checkbox"/> Year 7 | <input type="checkbox"/> Year 8 | <input type="checkbox"/> Year 9 | <input type="checkbox"/> Year 10 | | | | | | | | |
| <p>F. For a statement of benefits approved after June 30, 2013, did this designating body adopt an abatement schedule per IC 6-1.1-12.1-17?</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If yes, attach a copy of the abatement schedule to this form.</p> <p>If no, the designating body is required to establish an abatement schedule before the deduction can be determined.</p> | | | | | | | | | | | | |
| <p>We have also reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.</p> | | | | | | | | | | | | |
| Approved (signature and title of authorized member of designating body) | Telephone number { } | Date signed (month, day, year) | | | | | | | | | | |
| Printed name of authorized member of designating body | Name of designating body | | | | | | | | | | | |
| Attested by (signature and title of attester) | Printed name of attester | | | | | | | | | | | |
| <p>* If the designating body limits the time period during which an area is an economic revitalization area, that limitation does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years that is less than the number of years designated under IC 6-1.1-12.1-17.</p> <p>A. For residentially distressed areas where the Form SB-1/Real Property was approved prior to July 1, 2013, the deductions established in IC 6-1.1-12.1-4.1 remain in effect. The deduction period may not exceed five (5) years. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. The deduction period may not exceed ten (10) years. (See IC 6-1.1-12.1-17 below.)</p> <p>B. For the redevelopment or rehabilitation of real property where the Form SB-1/Real Property was approved prior to July 1, 2013, the abatement schedule approved by the designating body remains in effect. For a Form SB-1/Real Property that is approved after June 30, 2013, the designating body is required to establish an abatement schedule for each deduction allowed. (See IC 6-1.1-12.1-17 below.)</p> <p>IC 6-1.1-12.1-17 Abatement schedules Sec. 17. (a) A designating body may provide to a business that is established in or relocated to a revitalization area and that receives a deduction under section 4 or 4.5 of this chapter an abatement schedule based on the following factors:</p> <ol style="list-style-type: none">(1) The total amount of the taxpayer's investment in real and personal property.(2) The number of new full-time equivalent jobs created.(3) The average wage of the new employees compared to the state minimum wage.(4) The infrastructure requirements for the taxpayer's investment. <p>(b) This subsection applies to a statement of benefits approved after June 30, 2013. A designating body shall establish an abatement schedule for each deduction allowed under this chapter. An abatement schedule must specify the percentage amount of the deduction for each year of the deduction. An abatement schedule may not exceed ten (10) years.</p> <p>(c) An abatement schedule approved for a particular taxpayer before July 1, 2013, remains in effect until the abatement schedule expires under the terms of the resolution approving the taxpayer's statement of benefits.</p> | | | | | | | | | | | | |

ORDINANCE NO. __, 2015

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION
OF FUNDS FOR THE BUDGET YEAR 2015**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is necessary to appropriate funds from the Aviation General Fund in the maximum amount of \$100,000 to address certain self-fueling funding needs within the Department of Aviation and their Non-Reverting Fund for the calendar year 2015; and

WHEREAS, there are additional funds in the amount of \$100,000 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that the funds in the amount of One Hundred Thousand Dollars (\$100,000.00) shall be paid during the 2015 budget year and the same is hereby appropriated and ordered to be paid from the Aviation General Fund for the City of Columbus, Indiana and for the purposes of funding self-fueling needs within the Department of Aviation.

BE IT FURTHER ORDAINED, that the above additional appropriation shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect these additional appropriations.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2015 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the ____ day of _____, 2015 at _____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana

ORDINANCE NO. __, 2015

**AN ORDINANCE PROVIDING FOR THE TRANSFER OF FUNDS
BETWEEN FUNDS FOR THE BUDGET YEAR 2015**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the Mayor to address certain self-fueling funding needs within the Department of Aviation and their Non-Reverting Fund for the calendar year 2015 which requires transfer of funds from certain funds to other funds; and

WHEREAS, as part of an additional appropriation during the calendar year 2015, appropriations were approved from the Aviation General Fund to cover all approved appropriations from the Aviation Self-Fueling Non-Reverting Fund; and

WHEREAS, it has been shown that certain existing appropriations have balances which will be available for transferring as follows:

| | |
|-------|---|
| FROM: | Aviation General Fund, 200 |
| TO: | Aviation Self-Fueling Non-Reverting Fund, 200 |
| SUM: | \$80,000 |

| | |
|-------|---|
| FROM: | Aviation General Fund, 300 |
| TO: | Aviation Self-Fueling Non-Reverting Fund, 300 |
| SUM: | \$20,000 |

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that a transfer of an appropriation from the Aviation General Fund, Supplies category to the Aviation Self-Fueling Non-Reverting Fund, Supplies category in the amount of \$80,000 for the calendar year 2015 is hereby authorized.

BE IT FURTHER ORDAINED, that a transfer of an appropriation from the Aviation General Fund, Other Services and Charges category to the Aviation Self-Fueling Non-Reverting Fund, Other Services and Charges category in the amount of \$20,000 for the calendar year 2015 is hereby authorized.

BE IT FURTHER ORDAINED, that the above transfers shall be effective immediately upon passage of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this transfer of funds.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2015 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the ____ day of _____, 2015 at _____ o'clock P.M.

Kristen Brown
Mayor, City of Columbus, Indiana

ORDINANCE NO. __, 2015

**AN ORDINANCE PROVIDING FOR THE ADDITIONAL APPROPRIATION
OF FUNDS FOR THE BUDGET YEAR 2015**

WHEREAS, the Indiana General Assembly has adopted a policy to grant local units of government all powers that they need for the effective operation of government as to local affairs through Indiana Code 36-1-3-2; and

WHEREAS, it is desire of the City to address the condition of certain roads within the City of Columbus; and

WHEREAS, it is necessary to appropriate additional funds from the General Fund in the amount of \$5,000,000 for the cost of repairing certain roads within the City of Columbus; and

WHEREAS, there are additional funds in the amount of \$5,000,000 available for these purposes and these funds must be appropriated for these purposes before they can be spent.

NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, that the funds in the amount of Five Million Dollars (\$5,000,000.00) shall be paid during the 2015 budget year and the same is hereby appropriated and ordered to be paid from the General Fund for the City of Columbus, Indiana and for the purposes of repairing certain roads within the City of Columbus.

BE IT FURTHER ORDAINED, that the above additional appropriation shall be effective as of the date of adoption of this Ordinance.

BE IT FURTHER ORDAINED, that the Clerk Treasurer and the Mayor be and are hereby authorized and empowered and directed to take any and all further actions necessary to effect this additional appropriation.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this ____ day of _____, 2015 at _____ o'clock P.M. by a vote of ____ ayes and ____ nays.

ATTEST:

Luann Welmer
Clerk Treasurer, City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the ____ day of _____, 2015 at _____ o'clock P.M.

Presiding Officer

Kristen Brown
Mayor, City of Columbus, Indiana



COLUMBUS CITY UTILITIES

1111 McClure Road
P.O. Box 1987
Columbus, IN 47202-1987

812-372-8861
812-376-2427 FAX
www.columbusutilities.org

February 20, 2015

TO: Mayor Brown and
The members of the
Columbus City Council

FROM: Keith Reeves
Director of Utilities

RE: Sewer Bond Refinancing

In 2008, the Columbus City Utilities merged with the Eastern Bartholomew County Regional Sewer District. As part of that merger the CCU assumed their bond issue debt as its own. The original amount of this bond issue was around \$900,000. At the time of the merger the debt remaining was around \$700,000. At this time around \$555,000 remains outstanding.

Last December, the Indiana Bond Bank contacted us regarding refinancing of these bonds. This is being done under their initiative, and there is no expense to the CCU or any other part of the City. The total savings to the CCU through this action will be around \$70,000.

The Utility Service Board has reviewed the proposal and recommends approval of the attached ordinance.

The Indiana Bond Bank is anxious to proceed and is coordinating similar approvals through many local agencies. To keep the process on schedule they are requesting the Council consider suspending their normal rules and approve this ordinance in a single reading.

TO: Jeffrey Logston, Columbus City Attorney
FROM: Bradley Bingham, Barnes & Thornburg LLP, as Bond Counsel
DATE: February 12, 2015
RE: City of Columbus Utilities - Indiana Bond Bank Bond Refunding Program

This memorandum provides a summary of (i) the Indiana Bond Bank's refunding program (the "Refunding Program") which is available to the City of Columbus, Indiana (the "City") and will result in a net present value savings in debt service to the City for certain outstanding bonds of the City's utilities, and (ii) the steps necessary for the City to participate in the Refunding Program.

Summary of the Refunding Program

In order to participate in the Refunding Program and receive a net present value savings in debt service, the City would need to modify its existing redemption rights with respect to the "Eastern Bartholomew Regional Sewer District Sewage Works Revenue Bonds of 2005", dated January 25, 2005, issued in the original aggregate principal amount of \$900,000, and currently outstanding in the aggregate principal amount of approximately \$555,000 (the "2005 Bonds").

The 2005 Bonds were purchased on January 25, 2005 by the Indiana Bond Bank ("Bond Bank") pursuant to the terms of a purchase agreement, dated January 7, 2005 (the "2005 Purchase Agreement"), between Eastern Bartholomew Regional Sewer District ("EBRSD") and the Bond Bank. On January 25, 2005, the Bond Bank issued its Indiana Bond Bank Special Program Bonds, Series 2005 A (the "Prior Bond Bank Bonds"), and used a portion of the proceeds thereof to purchase the 2005 Bonds from EBRSD, together with other bonds from other qualified entities participating in the same pool transaction.

In 2008, the City acquired the assets of EBRSD and agreed to assume the indebtedness evidenced by the 2005 Bonds and to assume all rights, duties and obligations of EBRSD under the 2005 Bonds and the 2005 Purchase Agreement. The City pledged net revenues from the City's sewage works system to the repayment of the 2005 Bonds.

Due to the current lower interest rate environment, the Bond Bank intends to issue its Indiana Bond Bank Special Program Refunding Bonds, Series 2015 A (the "Refunding Bond Bank Bonds") for the purpose of refunding the Prior Bond Bank Bonds and reducing interest costs. The total debt service on the Refunding Bond Bank Bonds will be less than the total debt

service on the Prior Bond Bank Bonds¹ and, consequently, a savings will be realized. The Bond Bank will pass on the savings to the qualified entities participating in the Refunding Program, which would include the City (as assignee of EBRSD), through a "credit" that will reduce one or more future debt service payments of qualified entities participating in the program. By lowering future debt services payments on the 2005 Bonds, the City will realize a savings in sewage works revenues which have been pledged to the 2005 Bonds.

Total savings are estimated to be at least equal to \$70,000. The savings are net of all costs and fees, such bond counsel and financial advisor. Based upon the advice of representatives of Columbus City Utilities, the Clerk-Treasurer, as fiscal officer of the City, will be able to determine how to apply the credit to reduce future debt service payments (thereby realizing a savings) through one of three options: (i) apply the credit "upfront" in order to use the credit as soon as possible, (ii) apply the credit over all remaining debt service payments (often referred to as "level savings"), or (iii) apply the credit at the end of the amortization schedule in order to shorten the final maturity date of the bonds (referred to as taking that savings on the "back-end").

The Refunding Bond Bank Bonds will be secured in the same manner as the Prior Bond Bank Bonds (i.e., there are no new pledges of additional security necessary to issue the Refunding Bond Bank Bonds). As a condition to participating in the Refunding Program and receiving the credit to reduce future debt service payments, the Bond Bank requires that the City modify the call rights on the 2005 Bonds. Currently, the City has the right to redeem the 2005 Bonds on any date on or after January 1, 2015 (this is referred to as the "Call Rights"). However, in order to participate in the Refunding Program and receive savings, the City will need to agree to waive the Call Rights, thereby agreeing that the 2005 Bonds may not be redeemed prior to the final maturity on January 1, 2025.

In order to reflect how the City has chosen to apply the credit against future debt service payments and to evidence the City's waiver of its redemption rights with respect to the 2005 Bonds, the City will be required to execute and deliver a new "Qualified Entity Purchase Agreement" (substantially in the form attached to the supplemental ordinance). The final maturity date for 2005 Bonds (i.e., January 1, 2025) will remain unchanged.

Steps to Participate in the Refunding Program

Bond Proceedings

In order to participate in the Refunding Program, the Utilities Service Board of the City (the "USB") and the Common Council of the City (the "Council") will need to take action to approve the City's participation in the program. It is anticipated that the USB will consider this matter at its next meeting on **February 19th**, and, if it receives a favorable recommendation from the USB, it would then be placed on the Council's agenda for its next regular meeting on **March 3rd**. Based upon the Bond Bank's current timetable for the Refunding Program, all of the resolutions and ordinances by participating qualified entities (collectively, the "Bond

¹ This is accomplished through the sale of the Refunding Bond Bank Bonds in the current financial market which allows pricing of the Refunding Bonds at a lower overall interest rate/yield than the Prior Bond Bank Bonds.

Proceedings”) are expected to be adopted by the first week of March, 2015. In order to maintain the current timetable, the Bond Bank is respectfully requesting that the Council consider suspending the rules and adopt the supplemental bond ordinance (described below) at its meeting on March 3rd.

Pricing the Refunding Bonds

Once all Bond Proceedings have been adopted by participating qualified entities, the Bond Bank will be in a position to price the Refunding Bond Bank Bonds. The Bond Bank will monitor current market conditions to assure that the Refunding Bond Bank Bonds will be priced at a time that will produce savings to the City in amounts at least equal to the level described above. The current timetable anticipates a pricing of the Refunding Bonds the week of **March 2rd**, but the actual pricing will be subject to the then market conditions.

Execution of Qualified Entity Purchase Agreement

Once the Refunding Bond Bank Bonds have been priced, the Qualified Entity Purchase Agreement (in substantially the form attached to the supplemental bond ordinance) will be finalized with the actual revised amortization schedule for the 2005 Bonds (to reflect the savings to be received) and sent to City officials to arrange for execution. In addition, a “closing date” will be established, which is normally 2-3 weeks after the date of pricing. Currently, the Bond Bank is estimating that the closing date will occur sometime the week of **March 23rd**. At closing, the City will deliver the executed Qualified Entity Purchase Agreement along with certain standard closing certificates.

Summary of Bond Proceedings

The following is a summary of the Bond Proceedings that will need to be approved by the USB and the Council.

USB

The USB will be required to approve the City’s participation in the transaction, by formally recommending to the Council that it adopt a form of a supplemental bond ordinance authorizing the waiver of the City’s Call Rights. This form of supplemental bond ordinance also includes a form of the Qualified Entity Purchase Agreement as an exhibit thereto. The Qualified Entity Purchase Agreement will be executed in final form once the Bond Bank prices its Refunding Bond Bank Bonds and a closing date has been determined.

Council

The Council will be required to adopt the supplemental bond ordinance which authorize and approve the wavier of call rights, the execution of the Qualified Entity Purchase Agreement and the execution and delivery of any necessary closing certificates. The Qualified Entity Purchase Agreement will be executed in final form once the Bond Bank prices its Refunding Bond Bank Bonds and a closing date has been determined which is usually 2-3 weeks thereafter.

The Qualified Entity Purchase Agreement and the closing certificates will be executed and delivered prior to the closing date.

Conclusion

Assuming the Bond Proceedings for all participating qualified entities (including the City) are completed by the week of March 2nd and the market conditions remain favorable, the Bond Bank anticipates pricing its Refunding Bond Bank Bonds the week of March 2nd and establishing a closing date approximately 2-3 weeks later, which would be sometime the week of March 23rd. Upon closing of the transaction, the City will have locked-in savings at least equal to the amount described above in exchange for its participation in the Refunding Program.

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY OF COLUMBUS, INDIANA,
SUPPLEMENTING AND AMENDING ORDINANCE NO. 45-2008,
ADOPTED ON DECEMBER 2, 2008, ALL FOR THE PURPOSE OF
AUTHORIZING THE WAIVER OF CERTAIN CONTRACTUAL RIGHTS
OF THE CITY OF COLUMBUS, INDIANA, AND APPROVING CERTAIN
RELATED MATTERS IN CONNECTION THEREWITH**

WHEREAS, the Eastern Bartholomew Regional Sewer District ("EBRSD") previously established, constructed and owned a sewage works system (the "EBRSD Utility"), pursuant to the provisions of Indiana Code 13-26-10, as amended; and

WHEREAS, on January 25, 2005, EBRSD issued its bonds designated as the "Eastern Bartholomew Regional Sewer District Sewage Works Revenue Bonds of 2005" in the original aggregate principal amount of \$900,000 (the "EBRSD Bonds"), which were payable from the net revenues of the EBRSD Utility, in order to provide funds to finance the costs incurred to pay the acquisition and construction of certain extensions and improvements to the EBRSD Utility and to pay incidental charges in connection therewith, all pursuant to Ordinance No. 01-2004 adopted by the Board of Trustees of EBRSD on November 8, 2004 (the "EBRSD Bond Ordinance"); and

WHEREAS, as of the date hereof, the EBRSD Bonds are outstanding in the aggregate principal amount of approximately \$555,000; and

WHEREAS, pursuant to the terms of the EBRSD Bonds and the Qualified Entity Purchase Agreement, dated January 7, 2005 (the "Original Bond Purchase Agreement"), by and between EBRSD and the Indiana Bond Bank (the "Bond Bank"), the EBRSD Bonds maturing on or after January 1, 2016, are subject to redemption prior to maturity, at the option of EBRSD, on any date on or after January 1, 2015 (such rights hereinafter referred to as the "Call Rights"); and

WHEREAS, pursuant to Ordinance No. 45-2008, adopted by the Common Council for the City of Columbus, Indiana (the "City"), on December 2, 2008 (the "Original City Ordinance"), the City and EBRSD entered into an asset purchase agreement, dated December 1, 2008 (the "Asset Purchase Agreement"), whereby the City acquired substantially all of the assets of EBRSD, including the EBRSD Utility, and incorporated the same into the sewage works system previously established, constructed, owned and operated by the City, pursuant to the provisions of Indiana Code 36-9-23, as amended (the "City Utility"); and

WHEREAS, pursuant to the terms of the Asset Purchase Agreement, the Original City Ordinance, and the Assignment and Assumption Agreement, dated December 30, 2008 (the "Assignment and Assumption Agreement"), by and among EBRSD, the City and the Bond Bank, (a) EBRSD assigned to the City all of EBRSD's right, title and interest in and to the Original Bond Purchase Agreement, subject to the rights of the Bond Bank, (b) the City assumed all duties and obligations of EBRSD under the Original Bond Purchase Agreement, and the indebtedness of EBRSD evidenced by the EBRSD Bonds, outstanding as of the date thereof, (c)

the City and the Bond Bank agreed that the EBRSD Bonds shall be payable from the net revenues of the City Utility deposited into the City Utility's sewage works bond sinking fund on a junior and subordinate basis to all of the then outstanding bonds of the City payable from the net revenues of the City Utility and all bonds of the City subsequently issued on a parity therewith, and (d) the City agreed that the terms of the EBRSD Bonds shall remain the same, provided that the EBRSD Bonds shall be governed by the provisions of Ordinance No. 27-2006, adopted by the Common Council for the City on September 19, 2006 (the "City Bond Ordinance"), to the extent that the provisions of the City Bond Ordinance are not inconsistent with the terms of the EBRSD Bond Ordinance; and

WHEREAS, the Bond Bank previously issued its Indiana Bond Bank Special Program Bonds, Series 2005 A, dated January 25, 2005, in the aggregate principal amount of \$14,790,000 (the "Prior Bond Bank Bonds"), for the purpose, in part, of providing funds to purchase the EBRSD Bonds from EBRSD; and

WHEREAS, the Bond Bank has authorized and intends to issue its Indiana Bond Bank Special Program Refunding Bonds, Series 2015 A (the "Refunding Bond Bank Bonds"), for the purpose of refunding all or a portion of the Prior Bond Bank Bonds, together with one or more series of other bonds of the Bond Bank, which are outstanding on the date hereof (the "Refunding Program"); and

WHEREAS, as a condition to sharing a portion of the economic benefits associated with the Refunding Program with the City, the Bond Bank has requested that the City waive the Call Rights and evidence the waiver of such Call Rights and receipt of such Call Rights Waiver Credit (as hereinafter defined), all in exchange for receiving a portion of the economic benefits associated with the Refunding Program, by executing and delivering the Amended Bond Purchase Agreement (as hereinafter defined); and

WHEREAS, by virtue of the City's assumption of the EBRSD's rights and obligations under the EBRSD Bonds and the EBRSD Bond Ordinance, the City may grant or confer upon the owners of the EBRSD Bonds any additional benefits, rights, remedies, powers, authority or security that may lawfully be granted to or conferred upon the owners of the EBRSD Bonds, or to make any change which, in the judgment of the City, is not to the prejudice of the owners of the EBRSD Bonds; and

WHEREAS, on the date hereof, the Bond Bank is the registered owner of all of the outstanding EBRSD Bonds; and

WHEREAS, the City desires to adopt this supplemental ordinance (the "Supplemental Ordinance") in order to supplement and amend the Original City Ordinance (the Original City Ordinance, as supplemented and amended by this Supplemental Ordinance, collectively, the "Ordinance") for the purpose of authorizing the waiver of the Call Rights (as described in Section 2 herein) and the execution and delivery of the Amended Bond Purchase Agreement, all in consideration for the Bond Bank crediting to the City a portion of the economic benefits associated with the Refunding Program in an amount estimated to be, based upon current market conditions, at least equal to \$70,000 (the "Call Rights Waiver Credit"), with such Call Rights

Waiver Credit being in the form of a reduction in one or more payments of debt service on the EBRSD Bonds (which will be evidenced by the Amended Bond Purchase Agreement); and

WHEREAS, the Governing Body has determined that a significant benefit to the City in the amount of the Call Rights Waiver Credit will be effected by assisting the Bond Bank in the undertaking of the Refunding Program; and

WHEREAS, the Governing Body now finds that all conditions precedent to the adoption of this Supplemental Ordinance have been complied with in accordance with the provisions of Indiana Code 5-1-5 and Indiana Code 36-9-23, each as amended (collectively, the "Act"), to the extent each is applicable hereto;

NOW THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY, AS FOLLOWS:

Section 1. Authorization of 2015 Transaction; Waiver of Call Rights. The Governing Body hereby determines that (a) the receipt of the Call Rights Waiver Credit (in the form described in the recitals hereof) in exchange for the waiver of the Call Rights by the City, and (b) the execution and delivery of the Amended Bond Purchase Agreement by the City to the Bond Bank, in order to evidence the waiver of such Call Rights and the receipt of the Call Rights Waiver Credit (clauses (a) and (b), collectively, the "2015 Transaction"), is in the best interests of the City and is consistent with and in furtherance of the purposes for which the City was created and exists. The City is hereby authorized to waive the Call Rights and to execute and deliver the Amended Bond Purchase Agreement, all in accordance with the terms and conditions of this Supplemental Ordinance.

Section 2. Redemption Provisions of EBRSD Bonds. Notwithstanding anything in the EBRSD Bond Ordinance, the Original Bond Purchase Agreement, the Asset Purchase Agreement, the Original City Ordinance or the EBRSD Bonds to the contrary, the Call Rights may be waived so that the EBRSD Bonds shall not be subject to optional redemption prior to maturity.

Section 3. Application of Call Rights Waiver Credit. The Governing Body hereby agrees that the Call Rights Waiver Credit shall be applied to reduce one or more semi-annual debt service payments on the EBRSD Bonds, and that such reductions of one or more semi-annual debt service payments shall be evidenced by, and set forth in a schedule attached to, the Amended Bond Purchase Agreement. Prior to the undertaking of the Refunding Program, the fiscal officer of the City (the "Fiscal Officer"), or the Fiscal Officer's designee, is authorized to select the manner by which the City desires to apply the Call Rights Waiver Credit to the debt service payment(s) on the EBRSD Bonds, and to notify the Bond Bank, in writing, of such determination. The determination of the manner for applying the Call Rights Waiver Credit shall be set forth in a schedule to be attached to the Amended Bond Purchase Agreement. The Governing Body of the City hereby further authorizes the Fiscal Officer, or the Fiscal Officer's designee, to execute all such documents and take such actions as may be necessary or appropriate to effectuate the option selected by the Fiscal Officer.

Section 4. The Amended Bond Purchase Agreement. The Qualified Entity Purchase Agreement, in substantially the form attached as Exhibit A hereto and made a part hereof (the "Amended Bond Purchase Agreement"), is hereby approved. The Mayor and the Clerk-Treasurer of the City are each hereby authorized and directed to execute the Amended Bond Purchase Agreement with any and all such changes and revisions as they deem necessary, desirable or appropriate to carry out the intent of this Supplemental Ordinance and the purpose of the 2015 Transaction, and to deliver the Amended Bond Purchase Agreement to the Bond Bank.

Section 5. Offering Document / Continuing Disclosure Agreement. Use of information concerning the City in any offering materials, including a preliminary official statement or a private placement memorandum of the Bond Bank (collectively, the "Offering Document") and distributed in connection with the undertaking of the Refunding Program, is hereby authorized, ratified and approved. The Mayor and the Clerk-Treasurer of the City, or their authorized designees, are each hereby authorized and directed to have prepared and delivered to the Bond Bank, an underwriter or a purchaser any information required for such use and further to deem and determine, if necessary, those portions of the Offering Document, if any, relating to the City as near final for purposes of Rule 15c2-12 of the United States Securities and Exchange Commission, as amended (the "SEC Rule"). Further, if necessary, the Mayor and the Clerk-Treasurer of the City, or their authorized designees, are each hereby authorized and directed to execute a continuing disclosure agreement, in a form and substance acceptable to the Mayor and the Clerk-Treasurer of the City, in order to allow the underwriters, if any, of the Refunding Bond Bank Bonds to comply with the SEC Rule if necessary.

Section 6. Further Actions. The Mayor and the Clerk-Treasurer of the City, are each hereby authorized and directed, for and on behalf of the City, to execute, attest and seal all such documents, instruments, certificates, closing papers and other papers and do all such acts and things as may be necessary, desirable or appropriate to effect the 2015 Transaction and to carry out the purposes of this Supplemental Ordinance and the execution and delivery of the Amended Bond Purchase Agreement in accordance with the Ordinance, including, but not limited to, the execution of any certificates, purchase agreements, continuing disclosure agreements or other documents necessary to effect the 2015 Transaction, and any and all actions, documents, agreements and certificates heretofore taken or executed in connection with the 2015 Transaction or this Supplemental Ordinance, be, and hereby are, ratified and approved.

Section 7. Construction with Other Ordinances. This Supplemental Ordinance is hereby intended to amend and supplement the Original City Ordinance, and to the extent of any inconsistencies or conflicts, if any, between any provision or provisions of this Supplemental Ordinance and the Original City Ordinance, the provisions of this Supplemental Ordinance shall be controlling and binding. All ordinances or parts of ordinances, except the Original City Ordinance as supplemented and amended by this Supplemental Ordinance, in conflict with the Ordinance are hereby repealed.

Section 8. Effective Date. This Supplemental Ordinance shall be in full force and effect from and after its having been passed by the Governing Body and signed by the presiding officer.

The foregoing was PASSED AND ADOPTED by the Common Council of the City of
Columbuse, Indiana, this ____ day of _____, 2015, by a vote of _____ ayes and _____
nays.

President of the Governing Body

ATTEST:

Clerk-Treasurer

Presented by me to the Mayor this _____ day of _____, 2015.

Clerk-Treasurer

Approved and signed by me this _____ day of _____, 2015.

Mayor

ATTEST:

Clerk-Treasurer

EXHIBIT A
FORM OF AMENDED BOND PURCHASE AGREEMENT

(attached hereto)

QUALIFIED ENTITY PURCHASE AGREEMENT

This QUALIFIED ENTITY PURCHASE AGREEMENT (the "Purchase Agreement"), dated as of the ____ day of February, 2015, is being entered into by and between the INDIANA BOND BANK, a body corporate and politic (the "Bond Bank"), created pursuant to the provisions of Indiana Code 5-1.5, as amended (the "Act"), having its principal place of business in the City of Indianapolis, Indiana, and the CITY OF COLUMBUS, INDIANA, a political subdivision located in Bartholomew County, Indiana (the "Qualified Entity" or the "City"), as successor by assignment to EASTERN BARTHOLOMEW REGIONAL SEWER DISTRICT ("EBRSD").

WITNESSETH:

WHEREAS, the EBRSD previously established, constructed and owned a sewage works system (the "EBRSD Utility"), pursuant to the provisions of Indiana Code 13-26-10, as amended; and

WHEREAS, on January 25, 2005, EBRSD issued its bonds designated as the "Eastern Bartholomew Regional Sewer District Sewage Works Revenue Bonds of 2005" in the original aggregate principal amount of \$900,000 (the "Qualified Obligations"), which were payable from the net revenues of the EBRSD Utility, in order to provide funds to finance the costs incurred to pay the acquisition and construction of certain extensions and improvements to the EBRSD Utility and to pay incidental charges in connection therewith, all pursuant to Ordinance No. 01-2004 adopted by the Board of Trustees of EBRSD on November 8, 2004 (the "EBRSD Bond Ordinance"); and

WHEREAS, as of the date hereof, the Qualified Obligations are outstanding in the aggregate principal amount of approximately \$555,000; and

WHEREAS, pursuant to the terms of the Qualified Obligations and the Qualified Entity Purchase Agreement, dated January 7, 2005 (the "Original Bond Purchase Agreement"), by and between EBRSD and the Indiana Bond Bank (the "Bond Bank"), the Qualified Obligations maturing on or after January 1, 2016, are subject to redemption prior to maturity, at the option of EBRSD, on any date on or after January 1, 2015 (such rights hereinafter referred to as the "Call Rights"); and

WHEREAS, pursuant to Ordinance No. 45-2008, adopted by the Common Council for the City, on December 2, 2008 (the "Original City Ordinance"), the City and EBRSD entered into an asset purchase agreement, dated December 1, 2008 (the "Asset Purchase Agreement"), whereby the City acquired substantially all of the assets of EBRSD, including the EBRSD Utility, and incorporated the same into the sewage works system previously established, constructed, owned and operated by the City, pursuant to the provisions of Indiana Code 36-9-23, as amended (the "City Utility"); and

WHEREAS, pursuant to the terms of the Asset Purchase Agreement, the Original City Ordinance, and the Assignment and Assumption Agreement, dated December 30, 2008 (the "Assignment and Assumption Agreement"), by and among EBRSD, the City and the Bond Bank,

(a) EBRSD assigned to the City all of EBRSD's right, title and interest in and to the Original Bond Purchase Agreement, subject to the rights of the Bond Bank, (b) the City assumed (i) all duties and obligations of EBRSD under the Original Bond Purchase Agreement, and (ii) the indebtedness of EBRSD evidenced by the EBRSD Bonds, outstanding as of the date thereof, (c) the City and the Bond Bank agreed that the EBRSD Bonds shall be payable from the net revenues of the City Utility deposited into the City Utility's sewage works bond sinking fund on a junior and subordinate basis to all of the then outstanding bonds of the City payable from the net revenues of the City Utility and all bonds of the City subsequently issued on a parity therewith, and (d) the City agreed that the terms of the EBRSD Bonds shall remain the same, provided that the EBRSD Bonds shall be governed by the provisions of Ordinance No. 27-2006, adopted by the Common Council for the City on September 19, 2006 (the "City Bond Ordinance"), to the extent that the provisions of the City Bond Ordinance are not inconsistent with the terms of the EBRSD Bond Ordinance; and

WHEREAS, the Bond Bank previously issued its Indiana Bond Bank Special Program Bonds, Series 2005 A, dated January 25, 2005, in the aggregate principal amount of \$14,790,000 (the "Prior Bond Bank Bonds"), for the purpose, in part, of providing funds to purchase the Qualified Obligations from EBRSD; and

WHEREAS, the Bond Bank has authorized and intends to issue its Indiana Bond Bank Special Program Refunding Bonds, Series 2015 A (the "Refunding Bonds"), pursuant to a Trust Indenture, to be dated as of February 1, 2015 (the "Bond Bank Indenture"), between the Bond Bank and The Huntington National Bank, as trustee (the "Trustee"), for the purpose of refunding all or a portion of the Prior Bond Bank Bonds (the "Refunding Program"); and

WHEREAS, as a condition to sharing a portion of the economic benefits associated with the Refunding Program with the Qualified Entity, the Bond Bank has requested that the Qualified Entity waive the Call Rights and evidence the waiver of such Call Rights and receipt of such Call Rights Waiver Credit (as hereinafter defined), all in exchange for receiving a portion of the economic benefits associated with the Refunding Program, by executing and delivering this Purchase Agreement; and

WHEREAS, the Qualified Entity has duly authorized, pursuant to the Original City Ordinance, as supplemented and amended by an ordinance adopted by the Qualified Entity on _____, 2015 (the "Supplemental Ordinance")(the Original Ordinance and the Supplemental Ordinance, collectively, the "Ordinance"), the waiver of the Call Rights and, in order to evidence the waiver of the Call Rights and receipt of the Call Rights Waiver Credit, the execution and delivery of this Purchase Agreement.

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the Bond Bank and the Qualified Entity agree as follows:

Section 1. (a) In exchange for waiving the Call Rights with respect to the Qualified Obligations, the Bond Bank hereby agrees to provide the Qualified Entity with a credit, in an aggregate amount equal to \$_____ [final amount to be determined following pricing on Bond Bank's refunding bonds] (the "Call Rights Waiver Credit"), in the form of a

reduction of one or more semi-annual debt service payments on the Qualified Obligations, as evidenced by and in accordance with the schedule attached as Exhibit A hereto and made a part hereof.

(b) In order to evidence such waiver of the Call Rights and receipt of such Call Rights Waiver Credit, the Qualified Entity is executing and delivering this Purchase Agreement.

(c) The parties hereby expressly agree and acknowledge that the execution and delivery of this Purchase Agreement or the transaction hereby contemplated shall never be construed to constitute a re-issuance of the Qualified Obligations, in whole or in part, for purposes of the laws of the State.

(d) Notwithstanding anything in the EBRSD Bond Ordinance, the Asset Purchase Agreement, the Original City Ordinance, the Original Purchase Agreement or the Qualified Obligations to the contrary, the City hereby waives the Call Rights and agrees that the Qualified Obligations shall not be subject to optional redemption prior to maturity. The City hereby acknowledges that the Bond Bank or the Trustee may place a legend on the face of the Qualified Obligations denoting that the City has waived its Call Rights with respect to the Qualified Obligations and agrees that any such legend shall not invalidate or affect the enforceability of the Qualified Obligations.

(e) Except as otherwise provided in this Purchase Agreement and the Supplemental Ordinance, the terms, conditions and characteristics of the Qualified Obligations shall remain in full force and effect.

Section 2. If the Qualified Entity fails to pay the principal of and interest on the Qualified Obligations when due, the Qualified Entity agrees to reimburse the Bond Bank for the costs of collecting the payments on such Qualified Obligations.

Section 3. The Qualified Entity has taken, or will take, all proceedings required by law to enable it to waive the Call Rights and to execute and deliver this Purchase Agreement and all other documents to the Bond Bank which are necessary for the Bond Bank to undertake its Refunding Program. The parties to this Agreement acknowledge that the Qualified Entity's obligation to waive the Call Rights and to execute and deliver this Purchase Agreement and the Bond Bank's obligation to apply the Call Rights Waiver Credit, all as described herein, are expressly contingent upon the Qualified Entity taking all steps and receiving all approvals required by laws of the State, if any, to waive the Call Rights and to execute all other documents which are necessary for the Bond Bank to undertake its Refunding Program.

Section 4. Subject to Section 8, the Qualified Entity agrees to pay the Bond Bank, on each interest payment date for the Qualified Obligations, reasonable fees and charges attributable to the administration of the Qualified Obligations acquired by the Bond Bank. To the extent the Qualified Obligations are subject to rebate, the Qualified Entity agrees to pay the Bond Bank for prompt payment to, or to evidence to the Bond Bank the payment to, the United States of the rebate determined by the Qualified Entity to result from the investment of moneys held by the Qualified Entity that constitute gross proceeds of the Qualified Obligations. The Qualified

Entity agrees to provide documentation to the Bond Bank relative to the computation of the rebate and payment of such rebate when required.

Section 5. On or prior to the delivery date of the Refunding Bonds pursuant to the Refunding Program (the "Closing Date"), the Qualified Entity shall furnish to the Bond Bank: (a) a transcript of the proceedings related to this Purchase Agreement; and (b) the approving opinion of Barnes & Thornburg LLP, bond counsel to the Qualified Entity, in form satisfactory to the Bond Bank, which shall set forth, among other things, that (i) the Qualified Entity is duly organized and validly existing under the laws of the State with the right and power to execute and deliver and to perform its obligations under the Purchase Agreement; (ii) the Purchase Agreement, together with the performance by the Qualified Entity of its obligations hereunder, has been duly authorized, executed and delivered by the Qualified Entity and, assuming the due authorization, execution and delivery thereof by the other parties thereto, constitutes the legal, valid and binding agreement of the Qualified Entity, enforceable in accordance with its respective terms; and (iii) the interest on the Qualified Obligations is excludable from gross income for federal income tax purposes under Section 103 of the Code (under existing law); subject to such enforcement limitations customarily contained in such opinions. The Bond Bank shall arrange for and bear the cost of such opinions from the Qualified Entity's bond counsel.

Section 6. The Qualified Entity and the Bond Bank agree that the Qualified Obligations and the payments to be made thereon may be pledged or assigned by the Bond Bank to the Trustee under and pursuant to the Bond Bank Indenture.

Section 7. (a) As long as any of the Qualified Obligations remain outstanding, the Qualified Entity agrees to furnish to the Bond Bank the following information and reports:

(1) Within one hundred eighty (180) days after the close of each twelve-month period ending December 31 (each, a "Fiscal Year"), beginning with the Fiscal Year ending on December 31, 2014, (A) if available, a copy of the Qualified Entity's budget adopted for the then-current Fiscal Year, and (B) unaudited annual financial statements or reports which are customarily prepared by or for the Qualified Entity;

(2) When and if available, the audited financial statements of the Qualified Entity as prepared and examined by the State Board of Accounts for each Fiscal Year, beginning with the Fiscal Year ending on December 31, 2014, together with the opinion of such accountants and all notes thereto, within sixty (60) days of receipt from the State Board of Accounts;

(3) When and if available, a copy of any financial information, operating data or event notices filed by, or on behalf of the Qualified Entity, with the Municipal Securities Rulemaking Board, through its Electronic Municipal Market Access System ("EMMA"), pursuant to any obligations of the Qualified Entity to provide such information to EMMA under one or more continuing disclosure undertaking agreements entered into by the Qualified Entity pursuant to Section (b)(5) of the Securities and Exchange Commission Rule 15c2-12, as amended, simultaneously with such filing through EMMA;

(4) When and if available, a copy of any study of rates and charges for the Utility as may be commissioned by the Qualified Entity from time to time, together with all schedules and exhibits thereto, within sixty (60) days of receipt from the consultant(s) engaged to perform such study; and

(5) Such other financial information as is reasonably requested by the Bond Bank, including information which evidences their compliance with certain covenants which they have made regarding various actions and conditions necessary to preserve the tax-exempt status of interest paid on the Qualified Obligations.

(b) The Qualified Entity certifies and agrees that it will monitor: (i) the yield on the investment of proceeds of the Qualified Obligations (including compliance with any yield restrictions or temporary periods); (ii) the timely expenditure of the proceeds of the Qualified Obligations; (iii) the proper use of the proceeds of the Qualified Obligations and any facilities financed thereby; and (iv) the investment, expenditure and use of proceeds of the Qualified Obligations to ensure timely identification of any violations of federal tax requirements and timely correction of any identified violations through remedial actions described in Section 1.141-12 of the Regulations or through the Tax Exempt Bonds Voluntary Closing Agreement Program described in Notice 2008-31.

(c) The Qualified Entity certifies and agrees that it will, on or before each anniversary of the date of the execution and delivery of the Qualified Obligations, determine: (i) whether the Qualified Entity has paid all amounts required to be rebated to the United States under Section 148(f) of the Code and Section 1.148-3 of the Regulations; and (ii) whether the Qualified Entity has made all yield reduction payments required to be made to the United States under Section 1.148-5(c) of the Regulations.

(d) The Qualified Entity certifies and agrees that it will, on or before each anniversary of the date of the execution and delivery of the Qualified Obligations, provide a report to the Bond Bank as to: (i) whether the Qualified Entity has paid all amounts required to be rebated to the United States under Section 148(f) of the Code and Section 1.148-3 of the Regulations; (ii) whether the Qualified Entity has made all yield reduction payments required to be made to the United States under Section 1.148-5(c) of the Regulations; and (iii) whether the Qualified Entity has identified any violations of federal tax requirements with respect to the expenditure and use of proceeds of the Qualified Obligations and timely corrected any identified violations through remedial actions described in Section 1.141-12 of the Regulations or through the Tax Exempt Bonds Voluntary Closing Agreement Program described in Notice 2008-31.

(e) The Qualified Entity certifies and agrees that it will monitor the use of the proceeds of such Qualified Obligations, and any facilities financed thereby, to ensure that not more than five percent (5%) of the proceeds of the Qualified Obligations, or any facilities financed thereby, are: (i) owned by any nongovernmental person; (ii) leased to any nongovernmental person; (iii) subject to any management, service or incentive payment contract with any nongovernmental person, under which such nongovernmental person provides services involving all, any portion or any function of such facilities, unless such contract satisfies the conditions under which it would not result in private business use set forth in Revenue Procedure 97-13 (1997-1 C.B. 623), as amended from time to time; (iv) subject to any agreement by any

nongovernmental person to sponsor research, unless such agreement satisfies the conditions under which it would not result in private business use set forth in Revenue Procedure 2007-47 (2007-29 I.R.B. 108), as amended from time to time; or (v) subject to any other arrangement that conveys special legal entitlements for beneficial use thereof that are comparable to special legal entitlements described in subsection (i), (ii), (iii) or (iv) hereof.

Section 8. If the Bond Bank determines to sell all or part of the Qualified Obligations, it agrees to pay or reimburse the Qualified Entity for all costs associated therewith including the printing of bonds, obtaining ratings therefor and providing services of a registrar and paying agent therefor.

Section 9. If any provision of this Purchase Agreement shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such provision shall not affect any of the remaining provisions of this Purchase Agreement, and this Purchase Agreement shall be construed and be in force as if such invalid or unenforceable provision had not been contained herein.

Section 10. The parties to this Agreement acknowledge that the Qualified Entity's obligation to waive the Call Rights and execute and deliver this Purchase Agreement, and the Bond Bank's obligation to apply the Call Rights Waiver Credit, is expressly contingent upon the authorization and undertaking of the Refunding Program. In the event the Bond Bank determines not to authorize or undertake its Refunding Program, the provisions of this Purchase Agreement shall terminate upon notice by the Bond Bank to the Qualified Entity of such determination.

Section 11. In the event the Qualified Entity fails to waive the Call Rights in accordance with Section 1 hereof for any reason within the control of the Qualified Entity, the Qualified Entity shall, on demand, pay to the Bond Bank an amount equal to all costs, expenses (including any financial advisory and attorney's fees and expenses) and consequential damages occasioned by the failure of the Qualified Entity to waive the Call Rights, all in accordance with Section 1 hereof.

Section 12. On or prior to the Closing Date, an authorized officer of the Qualified Entity will deliver a certificate, dated as of the Closing Date, to the effect that (a) any statements pertaining to the Qualified Entity, the Qualified Obligations (if any) made in the application or information request form submitted to the Bond Bank (the "Application") (i) as of the date of the Application, did not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made therein, in the light of the circumstances under which they were made, not misleading, and (ii) as of the Closing Date, does not contain any untrue statement of a material fact or omit to state a material fact necessary in order to make the statements made therein, in the light of the circumstances under which they are made, not misleading, and (b) that there has been no material adverse change in the financial condition and affairs of the Qualified Entity during the period from the date of submission of the Application to the Closing Date, which was not disclosed in or contemplated by the Application.

Section 13. The Qualified Entity hereby agrees, for so long as any of the Qualified Obligations are outstanding, to execute a continuing disclosure agreement in a form and

substance reasonably acceptable to the Bond Bank, as may be reasonably requested by the Bond Bank. No breach or violation by the Qualified Entity of any obligation of the Qualified Entity under Section 7 of this Purchase Agreement shall constitute a breach or violation of or default under the Qualified Obligations or the Ordinance.

Section 14. This Purchase Agreement may be executed in one or more counterparts, any of which shall be regarded for all purposes as an original and all of which constitute but one and the same instrument. The Bond Bank and the Qualified Entity each agree that they will execute any and all documents or other instruments and take such other actions as may be necessary to give effect to the terms of this Purchase Agreement.

Section 15. No waiver by the Bond Bank or the Qualified Entity of any term or condition of this Purchase Agreement shall be deemed or construed as a waiver of any other terms or conditions, nor shall a waiver of any breach be deemed to constitute a waiver of any subsequent breach, whether of the same or of a different section, subsection, paragraph, clause, phrase or other provision of this Purchase Agreement.

Section 16. This Purchase Agreement merges and supersedes all prior negotiations, representations and agreements between the Bond Bank and the Qualified Entity relating to the subject matter hereof and, together with the Ordinance and the Qualified Obligations, constitutes the entire agreement between the Bond Bank and the Qualified Entity with respect hereto.

[Remainder of Page Intentionally Left Blank]

IN WITNESS WHEREOF, we have hereunto set our hands as of the day and year first above written.

INDIANA BOND BANK

By: _____
Kelly M. Mitchell, Chairperson Ex Officio

Attest:

Ronald L. Mangus, Executive Director

CITY OF COLUMBUS, INDIANA, as successor
by assignment to EASTERN BARTHOLOMEW
REGIONAL SEWER DISTRICT

By: _____
Kristen Brown, Mayor

Attest:

Luann Welmer, Clerk-Treasurer

[DO NOT EXECUTE AT THIS TIME]

EXHIBIT A

SCHEDULE OF CALL RIGHTS WAIVER CREDIT

| <u>Payment Date</u> | <u>Existing Debt Service Schedule for the Qualified Obligations</u> | | | <u>(Less Call Rights Waiver Credit)</u> | <u>Amended Debt Service Schedule for the Qualified Obligations</u> | | |
|---------------------|---|-----------------|------------------|---|--|-----------------|--------------|
| | <u>Principal</u> | <u>Interest</u> | <u>Total</u> | | <u>Principal</u> | <u>Interest</u> | <u>Total</u> |
| July 1, 2015 | \$ 0.00 | \$13,347.75 | \$13,347.75 | | | | |
| January 1, 2016 | 45,000.00 | 13,347.75 | 58,347.75 | | | | |
| July 1, 2016 | 0.00 | 12,265.50 | 12,265.50 | | | | |
| January 1, 2017 | 45,000.00 | 12,265.50 | 57,265.50 | | | | |
| July 1, 2017 | 0.00 | 11,183.25 | 11,183.25 | | | | |
| January 1, 2018 | 50,000.00 | 11,183.25 | 61,183.25 | | | | |
| July 1, 2018 | 0.00 | 9,980.75 | 9,980.75 | | | | |
| January 1, 2019 | 50,000.00 | 9,980.75 | 59,980.75 | | | | |
| July 1, 2019 | 0.00 | 8,778.25 | 8,778.25 | | | | |
| January 1, 2020 | 55,000.00 | 8,778.25 | 63,778.25 | | | | |
| July 1, 2020 | 0.00 | 7,455.50 | 7,455.50 | | | | |
| January 1, 2021 | 55,000.00 | 7,455.50 | 62,455.50 | | | | |
| July 1, 2021 | 0.00 | 6,132.75 | 6,132.75 | | | | |
| January 1, 2022 | 60,000.00 | 6,132.75 | 66,132.75 | | | | |
| July 1, 2022 | 0.00 | 4,689.75 | 4,689.75 | | | | |
| January 1, 2023 | 60,000.00 | 4,689.75 | 64,689.75 | | | | |
| July 1, 2023 | 0.00 | 3,246.75 | 3,246.75 | | | | |
| January 1, 2024 | 65,000.00 | 3,246.75 | 68,246.75 | | | | |
| July 1, 2024 | 0.00 | 1,683.50 | 1,683.50 | | | | |
| January 1, 2025 | <u>70,000.00</u> | <u>1,683.50</u> | <u>71,683.50</u> | | | | |
| Totals: | \$555,000.00 | \$157,527.50 | \$712,527.50 | | | | |

RESOLUTION NO. _____, 2015

**A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF
COLUMBUS TO AMEND SPECIFIC CAPITAL IMPROVEMENT PROJECTS
AS THE AMENDED 2015 CAPITAL BUDGET**

WHEREAS, on October 21, 2014, the Common Council of the City of Columbus (the "Council") adopted Ordinance 37-2014 approving Appropriations and Tax Rates for 2015 (the "2015 Budget");

WHEREAS, pursuant to Columbus City Ordinance 3.08.030 and 3.08.040, the Mayor after receiving input from the City's Capital Improvements' Committee put forth a Capital Budget for 2015 by designating the projects, an estimated cost, and the source from which funds are available;

WHEREAS, the Council previously designated specific capital improvement projects as the Capital Budget for 2015;

WHEREAS, an additional appropriation was approved by Council for the purchase of body worn cameras for the Columbus Police Department;

WHEREAS, the Council desires to designate the specific capital improvement projects in description and amount as designated and set forth on attached Exhibit "A" as the Amended Capital Budget for 2015;

WHEREAS, the Council recognizes that the individual project costs set forth in Exhibit "A" are estimates only and shall not serve as a cap on the individual project should actual project costs be higher than originally estimated; and

WHEREAS, the Amended Capital Budget for 2015 as set forth in Exhibit "A" shall be considered an addendum to the 2015 Budget pursuant to Columbus City Ordinance 3.08.030.

NOW THEREFORE BE IT RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT the capital improvement projects included in Exhibit "A" in description and amount are hereby adopted as the Amended Capital Budget for 2015 pursuant to Columbus City Ordinance 3.08.030 and considered an addendum to the 2015 Budget.

NOW THEREFORE BE IT FURTHER RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT additional approval from Council for any of the designated capital improvement projects identified in the attached Exhibit "A" is required prior to the expenditure of any funds should the actual cost of that specific project identified in Exhibit "A" herein exceed the greater of i) 105% of the estimated project cost or ii) the estimated project cost plus \$5,000.

***RESOLUTION TO AMEND 2015 CAPITAL PROJECT LIST ADOPTED BY
THE COMMON COUNCIL OF COLUMBUS, INDIANA***, on this the _____ day of
_____, 2015, by a vote of _____ ayes and _____ nays.

Kristen S. Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Luann Welmer
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this _____ day
of _____, 2015 at _____ o'clock _____ .M.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this _____ day of _____, 2015, at
_____ o'clock _____ .M.

Kristen S. Brown
Mayor of the City of Columbus, Indiana

Exhibit "A"

2015 Capital Improvements Project List

EDIT (Budgeted \$3,013,218)

| | |
|-------------------------------------|---------------------|
| Police Vehicles | \$ 500,000 |
| Vests-Police | \$ 38,000 |
| In-car cameras - Police | \$ 90,000 |
| In-car radios-Police | \$ 41,000 |
| Public Safety Time Keeping Software | \$ 100,000 |
| Pumper-Fire | \$ 500,000 |
| 46 sets of Fire Gear | \$ 78,000 |
| Smoke Alarms | \$ 20,000 |
| Parks (See attached) | \$ 294,404 |
| | \$ 1,661,404 |

EDIT unfunded

| | |
|----------------------|-------------------|
| Parks (See attached) | \$ 276,494 |
|----------------------|-------------------|

Cumulative Capital Improvement Fund (110K)

| | |
|------------------------|-------------------|
| Staff Vehicles-Fire | \$ 50,000 |
| Leaf Collector-Garage | \$ 48,000 |
| Pressure Washer-Garage | \$ 8,000 |
| | \$ 106,000 |

General Fund Capital Improvement

| | |
|--|---------------------|
| Automated Packer Truck 33 yrd | \$ 320,000 |
| S.A. Dump Truck w/spreader & plow | \$ 160,000 |
| 1 ton Flat-bed Truck w/spreader & plow | \$ 85,000 |
| MSA Airpack Replacements-Fire | \$ 464,000 |
| Parks (See attached) | \$ 429,102 |
| Street Sweeper (Dual Broom) | \$ 250,000 |
| Road Grader | \$ 160,000 |
| Knuckle Boom Loader | \$ 160,000 |
| Miscellaneous (small capital expenditures) | \$ 75,000 |
| Road Overlay | \$ 256,054 |
| Information Services | \$ 280,000 |
| Police Department Body Worn Cameras | \$ 70,000 |
| | \$ 2,709,156 |

Cumulative Capital Development Fund (Budgeted \$775,442)

| | |
|---------------------------------------|-------------------|
| FFY Bond Payment | \$ 333,000 |
| Engineering Traffic Signs and Signals | \$ 100,000 |
| Engineering Sidewalk Improvements | \$ 120,000 |
| Engineering Streetlights | \$ 25,000 |
| Parks Prior Year Lease Payments | \$ 88,242 |
| Pictometry | \$ 13,200 |
| Bobcat Tool-Cat w/attachments-Traffic | \$ 70,000 |
| Hand-held radios-Fire | \$ 26,000 |
| | \$ 775,442 |

River Boat Fund (Budgeted \$260,000)

| | |
|-----------------------------------|-------------------|
| Exterior Repairs-Animal Care | \$ 25,000 |
| T.A. Dump Truck w/spreader & plow | \$ 170,000 |
| Pick up Truck-Garage | \$ 65,000 |
| | \$ 260,000 |

Transit Budget

| | |
|------------------|------------------|
| Mobile Equipment | \$ 93,000 |
| | \$ 93,000 |

Thoroughfare Fund

| | |
|---------------------------|-------------------|
| Maple Street | \$ 45,000 |
| City Share of collectors | \$ 300,000 |
| Misc Pedestrian Crossings | \$ 50,000 |
| | \$ 395,000 |

2015 Overview - Projects

| | |
|----------------------------------|---------------|
| Blackwell/ Dick Wigh | |
| Replacement of Goals | \$ 7,500.00 |
| Clifty Park | |
| Infield Batter Jox Box | \$ 8,000.00 |
| Donner Park | |
| Replacement of Main Pool Filters | \$ 300,000.00 |
| Movable Floor Repairs | \$ 9,000.00 |
| FFY | |
| Replacement of Tables and Chairs | \$ 8,000.00 |
| Replacement of Main Pool Pump | \$ 9,000.00 |
| Lincoln Park | |
| Replace Portable Pitching Mounds | \$ 12,000.00 |
| Replace Sportable Fence Panels | \$ 15,000.00 |
| Carpenter Building Rehab | \$ 20,000.00 |
| Mill Race | |
| Steel / Glass Block Repair | \$ 5,000.00 |
| Total \$ 393,500.00 | |

2015 Overview - Vehicles/Equipment

| | |
|----------------------------|--------------|
| 3/4 Ton Pick Up Truck (3) | \$ 90,000.00 |
| Sand Pro | \$ 22,000.00 |
| Trim Mower | \$ 25,000.00 |
| Floor Scrubber | \$ 7,000.00 |
| One Ton Dump Truck | \$ 35,000.00 |
| walk behind aerator | \$ 9,000.00 |
| Trailer | \$ 8,000.00 |
| Lely Spreader | \$ 8,000.00 |
| Utility Cart | \$ 15,000.00 |
| Total \$ 219,000.00 | |

2015 Overview - Annual Projects

| | |
|--------------------------------------|---------------|
| Playground and Surfacing Replacement | \$ 100,000.00 |
| Overlay/ Seal Coat/ Striping | \$ 70,000.00 |
| Fencing | \$ 70,000.00 |
| Court Resurfacing& Restriping | \$ 60,000.00 |
| Shelter Replacement | \$ 45,000.00 |
| Signage | \$ 10,000.00 |
| Roof and Gutter Repairs | \$ 10,000.00 |
| Curbing and Sidewalks | \$ 10,000.00 |
| Bleacher Replacement | \$ 7,000.00 |
| Replacement of Picnic Tables | \$ 5,000.00 |
| Total \$ 387,000.00 | |

Grand Total 2015

| | |
|---------------------|----------------------|
| \$999,500.00 | \$1 Million proposed |
|---------------------|----------------------|



MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: February 24, 2015

RE: RZ-15-01 (*Oak Ridge Rezoning*)

At its February 11, 2015 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

Cornerstone Land Company, LLC is proposing to consolidate the zoning classification for an area of 36.21 acres from the current combination of RM (Residential: Multi-family), RT (Residential: Two-family) and RS2 (Residential: Single-family 2) to RS2 throughout. The proposed rezoning would change 12.22 acres from RM to RS2 and 11.11 acres from RT to RS2. The applicant intends to construct a subdivision of single-family homes on the property. The preliminary plat for that development was approved at the February 11, 2015 Plan Commission meeting contingent upon the approval of this rezoning request.

During the Plan Commission public hearing 2 adjoining property owners spoke on this request. A resident of the adjacent Timber Ridge subdivision inquired as to whether or not the new subdivision would become a part of Tipton Lakes (the applicant indicated that it would). Another nearby property owner expressed concern about the increasing traffic on Carr Hill Road and its need for widening and other improvements.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the staff report prepared for the Plan Commission meeting, and
4. a location map.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2015

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY
FROM "RM" (RESIDENTIAL: MULTI-FAMILY) AND "RT" (RESIDENTIAL: TWO-FAMILY)
TO "RS2" (RESIDENTIAL: SINGLE-FAMILY 2)**

**To be known as the: Oak Ridge Rezoning
Plan Commission Case No.: RZ-15-01**

WHEREAS, this rezoning was requested by Cornerstone Land Company, LLC and includes the consent of all owners of the subject property; and

WHEREAS, the Columbus Plan Commission did, on February 11, 2015, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Official Zoning Map

The zoning classification of the subject property, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed as follows:

1. The following described real estate shall be changed from "RM" (Residential: Multi-family) to "RS2" (Residential: Single-Family 2):

A part of Section 33, Township 9 North, Range 5 East lying in Columbus Township, Bartholomew County, Indiana; intended to be a part of Lots 1 and 2 of "Tipton Lakes - Southeast Administrative Subdivision" as recorded in Plat Book "R", Page 207A; and described as follows:

Beginning at the west corner of said Lot 1 and on the east right-of-way line of Champion Drive; thence along the south line of "Timber Ridge" (P.B. "O", pg. 154) the following 6 calls: north 58°33'14" east a distance of 110.00 feet; thence north 31°57'34" east a distance of 120.00 feet; thence north 33°01'31" east a distance of 112.92 feet; thence north 50°29'10" east a distance of 121.77 feet; thence north 31°38'07" east a distance of 62.91 feet; thence north 47°07'30" east a distance of 84.74 feet; thence north 88°55'26" east a distance of 231.89 feet; thence south 27°07'37" east a distance of 665.68 feet; thence south 00°56'52" east a distance of 45.00 feet to the centerline of Carr Hill Road; thence south 63°21'02" west along the centerline of said road a distance of 102.34 feet; thence north 26°09'48" west a distance of 30.00 feet to the north right-of-way line of Carr Hill Road; thence along said right-of-way line the following 3 calls: south 63°50'12" west a distance of 232.48 feet to the pc of a curve to the left; thence southwesterly along said curve for an arc distance of 98.97 feet, having a radius of 330.00 feet and a chord bearing south 55°14'42" west a distance of 98.60 feet to the pt thereof; thence south 46°39'12" west a distance of 246.98 feet to the east right-of-way line of Champion Drive and the pc of a curve to the right; thence along said right-of-way line the following 6 calls: northwesterly along said curve for an arc distance of 39.26 feet, having a radius of 25.00 feet and a chord bearing north 88°20'48" west a distance of 35.35 feet to the pt thereof; thence north 43°20'48" west a distance of 121.61 feet to the pc of a curve to the right; thence northwesterly along said curve for an arc distance of 118.79 feet, having a radius of 265.00 feet and a chord bearing north 30°30'17" west a distance of 117.80 feet to the pt thereof; thence north 17°39'46" west a distance of 126.65 feet to the pc of a curve to the left; thence northwesterly along said curve for an arc distance of 124.79

feet, having a radius of 335.00 feet and a chord bearing north 28°20'04" west a distance of 124.07 feet to the pt thereof; thence north 38°51'13" west a distance of 150.12 feet to the point of beginning, containing 12.22 acres, more or less, and subject to all legal rights of way and easements.

2. The following described real estate shall be changed from "RT" (Residential: Two-family) to "RS2" (Residential: Single-Family 2):

A part of Section 33, Township 9 North, Range 5 East lying in Columbus Township, Bartholomew County, Indiana; intended to be a part of Lots 3 and 4 of "Tipton Lakes - Southeast Administrative Subdivision" as recorded in Plat Book "R", Page 207A; and described as follows:

Beginning at the northeast corner of said Lot 4 and on the centerline of Carr Hill Road; thence along the centerline of said road the following 6 calls: south 40°50'10" west a distance of 74.18 feet; thence south 40°40'52" west a distance of 678.39 feet; thence south 40°58'00" west a distance of 158.13 feet to the pc of a curve to the right; thence southwesterly along said curve for an arc distance of 136.14 feet, having a radius of 161.00 feet and a chord bearing south 65°11'29" west a distance of 132.12 feet to the pt thereof; thence south 89°24'57" west a distance of 190.10 feet; thence south 88°11'21" west a distance of 80.10 feet; thence north 00°13'54" east a distance of 731.73 feet to the south line of "Ahlbrand Administrative Subdivision Replat of Lot 1" (P.B. "p", pg. 219a); thence north 88°56'24" east along said south line a distance of 981.68 feet to the point of beginning, containing 11.11 acres, more or less, and subject to all legal rights of way and easements.

SECTION 2: Commitment(s)

No commitments are attached to this rezoning.

SECTION 3: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 4: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 5: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2015 at _____ o'clock _____.m., by a vote of _____ ayes and _____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2015 at
_____ o'clock _____.m.

Kristen S. Brown
Mayor of the City of Columbus, Indiana

RESOLUTION: RZ-15-01

of the City of Columbus, Indiana Plan Commission

regarding
Case number RZ-15-01
(Oak Ridge Rezoning),
a proposal to rezone +/-23.33 acres from
RM (Residential: Multi-family) and RT (Residential: Two-family)
to RS2 (Residential: Single-family 2)

WHEREAS, the Plan Commission has received the application referenced above from Cornerstone Land Company, LLC; and

WHEREAS, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of IC 36-7-4-602(c); and

WHEREAS, the Plan Commission did, on February 11, 2015, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 23.22 acres on the north side of Carr Hill Road, east of Champion Drive) is forwarded to the Common Council with a favorable recommendation.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by IC 36-7-4-605.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 11th DAY OF, FEBRUARY 2015 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.

Signed copy on file in the Planning Department

Roger Lang, President

ATTEST:

Signed copy on file in the Planning Department

David L. Fisher, Secretary



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (February 11, 2015 Meeting)

Docket No. / Project Title: RZ-15-01 (Oak Ridge)
Staff: Allie Keen

Applicant: Cornerstone Land Company LLC
Property Size: 23.33 Acres
Current Zoning: RM (Residential: Multi-Family)
RT (Residential: Two-Family)
Proposed Zoning: RS2 (Residential: Single-Family 2)
Location: Northeast corner of the intersection of Carr Hill Road and Champion Drive, in the City of Columbus.

Background Summary:

The applicant has indicated that the proposed rezoning is for the purpose of developing a single-family residential subdivision consisting of 42 lots. The subdivision site currently contains 3 different zoning districts, including RM (Residential: Multi-Family), RT (Residential: Two-Family) and RS2 (Residential: Single-Family 2). At this time the applicant is proposing to rezone 12.22 acres from RM to RS2 and 11.11 acres from RT to RS2 to provide consistent zoning for the entire subdivision site.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: Is the RS2 (Residential: Single-Family 2) zoning district appropriate for this area?

Preliminary Staff Recommendation:

Favorable recommendation to the City Council.

Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

Decision Criteria:

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

The Comprehensive Plan.

Preliminary Staff Comments: The proposed rezoning is intended to make the property more developable due to the existing site conditions and difficult terrain. The Comprehensive Plan identifies the future land use for this area as residential and encourages residential development to conserve open space and to

protect natural features. Additionally, this property is located within the Comprehensive Plan's Western Hills character area which also encourages new development to preserve the natural features such as the topography.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: The site is located just south of Timber Ridge, which consists of single-family residential homes. To the west and south of the site are large properties that are currently zoned for a mix of residential but have not been developed at this point. There are also several single-family residences located along Carr Hill Road that are located on larger lots. The proposed rezoning is consistent with the surrounding character of the area.

The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The Comprehensive Plan identifies residential for the use of the property and surrounding area. Although the property is located near goods and services, it is likely not close enough to support dense residential development such as that found in the RM or RT zoning districts; therefore the proposed rezoning is appropriate.

The conservation of property values throughout the jurisdiction of the City of Columbus.

Preliminary Staff Comments: The property values throughout the City of Columbus should not be impacted in a negative way if the zoning request were approved. The proposed development is in character with the surrounding properties and is within an area where single-family residential use is dominant and therefore surrounding values should not be impacted.

Responsible growth and development.

Preliminary Staff Comments: The rezoning represents responsible growth and development. The parcel is located within the city limits in an area with adequate infrastructure, including access to two collector streets. The site is not located close enough to goods and services in order to support dense residential development, therefore single-family residential is more appropriate. In addition, the site is located in a predominately single-family residential area.

| Current Property Information: | |
|---|--|
| Land Use: | Vacant/Undeveloped |
| Site Features: | The site is primarily densely wooded with a small open grassy area on the west side and a pond. |
| Flood Hazards: | No flood hazards exist at this location. |
| Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.) | No special circumstances exist at this location. |
| Vehicle Access: | This property gains access from Champion Drive (Collector, Residential, Suburban) and Carr Hill Road (Collector, Residential, Suburban). |

| Surrounding Zoning and Land Use: | | |
|----------------------------------|---|---|
| | Zoning: | Land Use: |
| North: | RS4 (Residential: Single-Family 4) AP (Agriculture: Preferred) | Single-Family Residential (Timber Ridge) Single-Family Residential |

| | | |
|---------------|---|---|
| South: | RM (Residential: Multi-Family) AP (Agriculture: Preferred) RS3 (Residential: Single-Family 3) | Vacant / Undeveloped Single-Family Residential Vacant / Undeveloped |
| East: | AP (Agriculture: Preferred) RS2 (Residential: Single-Family 2) | Single-Family Residential Single-Family Residential |
| West: | RT (Residential: Two-Family) RS4 (Residential: Single-Family 4) | Vacant / Undeveloped Single-Family Residential |

Zoning District Summary (Existing / Proposed):

| | Existing Zoning: RM | Existing Zoning: RT | Proposed Zoning: RS2 |
|--------------------------------|--|---|---|
| Zoning District Intent: | To provide areas for a variety of multi-family uses, such as two-family dwellings, apartment homes and complexes, and condominiums in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. This district should be used in limited locations with highly developed infrastructure, immediate access to Arterial or Collector roads, and direct connections to public open space and convenience goods. This district may be used to provide a transition from regional commercial areas to moderate density single-family residences. | To provide areas for moderate density single, two, and multi-family residences in areas with compatible infrastructure and services. These residences are most likely arranged as multiple attached units on a single lot or multiple attached units separated by lots lines at a common wall. Development in this zoning district should be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial roads, parks and open space, employment, and convenience goods. | To provide areas for moderate density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should generally be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial roads, parks and open space, employment, and convenience goods. |
| Permitted Uses: | <ul style="list-style-type: none"> • Dwellings, Multi-Family • Dwelling, Two-Family • Nursing Home / Assisted Living Facility • Retirement Facility • Nature Preserve / Conservation Area | <ul style="list-style-type: none"> • Dwelling, Single-Family • Dwelling, Two-Family • Nature Preserve / Conservation Area | <ul style="list-style-type: none"> • Dwelling, Single-Family • Nature Preserve / Conservation Area |

| Zoning District Summary (Existing / Proposed): | | | |
|---|---|---|--|
| | Existing Zoning: RM | Existing Zoning: RT | Proposed Zoning: RS2 |
| Water and Sewer Service: | Required | Required | Required |
| Lot and/or Density Requirements: | Maximum Gross Density: 25 Dwelling Units per Acre Minimum Lot Area: Non-Residential: 5,000 sqft. Residential: 1,500 sqft. per dwelling unit (with a minimum of 6,000 sqft. if fewer than 4 units) Minimum Lot Width: 50 Feet Minimum Lot Frontage: 50 Feet Maximum Lot Coverage: 65% | Maximum Gross Density: 8 Dwelling Units per Acre Minimum Lot Area: Non-Residential: 5,000 sqft. Residential: 3,000 sqft. per dwelling unit. Minimum Lot Width: Single-Family: 25 feet Two-Family: 40 feet Multi-Family: 50 feet Non-Residential: 50 feet Minimum Lot Frontage: Single-Family: 25 feet Two-Family: 40 feet Multi-Family: 50 feet Maximum Lot Coverage: 55% | Maximum Gross Density: 3.5 Dwelling Units per Acre Minimum Lot Area: 10,000 sqft. Minimum Lot Width: 65 feet Minimum Lot Frontage: 35 feet Maximum Lot Coverage: 35% |

Zoning District Summary (Existing / Proposed):

| | Existing Zoning: RM | Existing Zoning: RT | Proposed Zoning: RS2 |
|--|--|---|--|
| Setbacks Required: Front Setbacks are determined by the Thoroughfare Plan Classification of the adjacent street and are the same regardless of zoning. | Side Yard Setback: Two-Family: 5 feet Multi-Family: 10 feet Non-Residential: 10 feet Accessory Structure: 5 feet Rear Yard Setback: Primary Structure: 10 feet Non-Residential: 10 feet Accessory Structure: 5 feet Front Yard Setback: 10 feet* *25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures. | Side Yard Setback: Single-Family: 0 feet minimum per side, 10 feet aggregate* Two-Family: 5 feet Multi-Family: 10 feet Non-Residential: 10 feet Accessory Structure: 5 feet *the aggregate side setback for single-family may be reduced to 0 feet for the center units in multiple attached unit designs. Rear Yard Setback: Residential: 5 feet Non-Residential: 10 feet Accessory Structure: 5 feet Front Yard Setback: Collector Street: 15 feet * Local Street: 10 feet* *25 feet for any garage with a vehicle entrance facing the street. | Side Yard Setback: Primary Structure: 5 feet Accessory Structure: 5 feet Rear Yard Setback: Primary Structure: 5 feet Accessory Structure: 5 feet Front Yard Setback: Collector Street: 15 feet* Local Street: 10 feet * *25 feet for any garage |
| Height Restrictions: | Primary Structure: 50 feet Accessory Structure: 25 feet | Primary Structure: 50 feet Accessory Structure: 25 feet (or the height of the primary structure on the property, whichever is less) | Primary Structure: 40 feet Accessory Structure: 25 feet (or the height of the primary structure on the property, whichever is less) |

| Zoning District Summary (Existing / Proposed): | | | |
|---|---|---|---|
| | Existing Zoning: RM | Existing Zoning: RT | Proposed Zoning: RS2 |
| Floor Area Requirements: | Minimum Living Area per Dwelling: Two-Family: 1,000 sqft. Multi-Family: 500 sqft. | Minimum Living Area per Dwelling: Single-Family: 1,000 sqft. Two-Family: 1,000 sqft. Multi-Family: 500 sqft. Minimum Ground Floor Living Area: 40% | Minimum Living Area per Dwelling: 1,000 sqft. Minimum Ground Floor Living Area: 40% |
| Signs: | Development Entry Signs: Max. Number: 2 per street frontage Max. Area: 32 sqft. Max. Height: 6 feet All other signage is only permitted through Conditional Use. | Development Entry Signs: Max. Number: 2 per street frontage Max. Area: 32 sqft. Max. Height: 6 feet All other signage is only permitted through Conditional Use. | Development Entry Signs: Max. Number: 2 per street frontage Max. Area: 32 sqft. Max. Height: 6 feet All other signage is only permitted through Conditional Use. |

| Interdepartmental Review: | |
|----------------------------------|----------------------------------|
| City Engineering: | No issues with rezoning request. |
| City Fire Department: | No issues with rezoning request. |
| City Utilities: | No comments. |
| MPO: | No comments. |
| Code Enforcement: | No comments. |

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as Residential.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Policy A-2-3:** Ensure that development takes place in a manner which allows for preservation of farmland, open space, and significant natural features whenever possible and desirable. *This policy is intended to encourage creative subdivision design which protects natural features, proper buffering, and orderly development. It is not an anti-growth policy, nor does it mean that all farmland will be retained.*

2. **Policy A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.
3. **Goal D-1:** Develop new housing where adequate public services can be provided economically.
4. **Policy D-1-1:** Promote orderly housing expansion in locations where the city's infrastructure and services have the capacity to accommodate the growth. *New neighborhoods should have adequate infrastructure and services. Road networks should be safe, there should be adequate sewage disposal and a safe drinking water supply, and there should be adequate police and fire protection and trash pick-up. The city should guide new development to areas where these services will be available at reasonable cost.*
5. **Policy D-1-3:** Encourage development adjacent to already developed areas. *Compact development contiguous to already developed areas is the most economical and convenient urban form, and the city should encourage that type of development.*

This property is located in the Western Hills character area. The following Planning Principle(s) apply to this application:

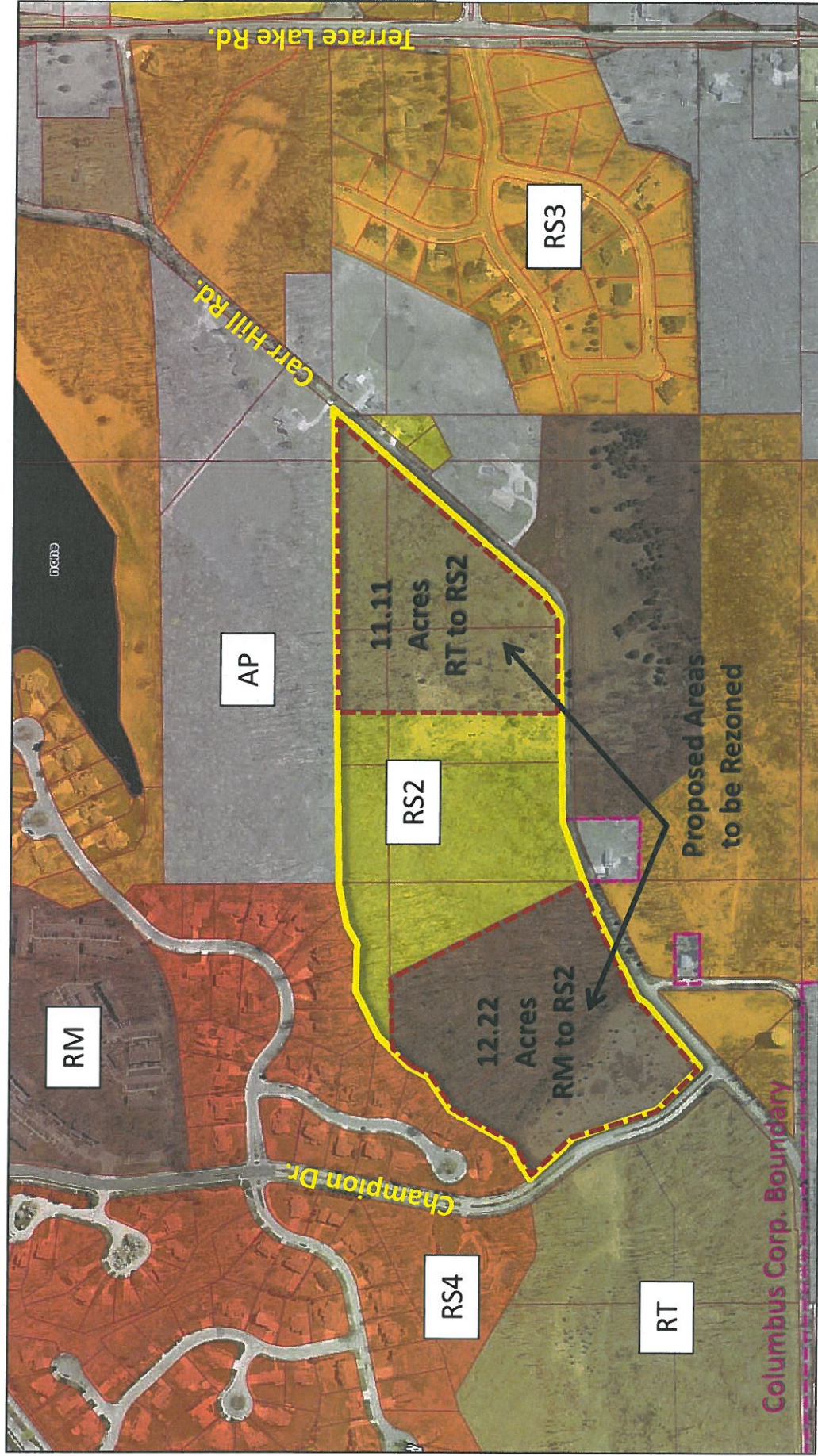
1. Ensure that new development takes place in a manner that preserves natural features such as topography and wooded areas. Clustering should be encouraged.
2. Encourage all development to be linked to bicycle and pedestrian systems.
3. Encourage a better mix of housing prices.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. Cornerstone Land Company LLC is proposing to develop the subject property as a single-family residential subdivision consisting of 42 lots and 6 common areas. They have submitted a companion application for approval of a Preliminary Plat (PP-15-01). The proposed rezoning will allow for single-family residential and provide 1 zoning district for the entire 36.21 acre subdivision site, which is currently broken up into the following 3 districts: approximately 12.22 acres of RM (Residential: Multi-Family), 11.11 acres of RT (Residential: Two-Family), and 12.88 acres of RS2 (Residential: Single-Family 2).
2. The applicant has indicated that the lower-density zoning is necessary in order to develop the property due to the site conditions which limit the amount of development that can take place on the property. The subject property is currently heavily wooded with significant topography due to the presence of ravines that run through the site.
3. The subject property is located just south of the existing Tipton Lakes neighborhoods which have a mix of residential zoning, including single-family, two-family, and multi-family. Additionally, the subject property is surrounded to the west and south by large tracts of undeveloped land that is zoned for both single-family and multi-family residential, as well as some existing single-family residences to the south and east.
4. The subject property gains access from both Carr Hill Road and Champion Drive which are both identified by the Thoroughfare Plan as Collector Streets. Collector streets are intended to connect local streets with arterial streets and therefore provide connections between neighborhoods and commercial service areas. Collectors provide both mobility and access and are typically designed to carry up to 8,000 vehicles per day. The subject property's location provides adequate access to nearby shopping centers, such as the Westhill Shopping Center which is approximately 1.2 miles away and the Columbus Crossing Shopping Center which is approximately 1.5 miles away. Although the site is nearby to goods and services, it is likely not close enough to support dense residential development such as that found in the existing RM and RT zoning districts. Residents of the RM and RT zoning districts have typically smaller or no yards and more likely to utilize public parks for recreation and the denser development would likely warrant additional commercial services to serve the increased population in the area.
5. Once developed, the subject property will also have a direct connection from Champion Drive to the sidewalks and sidepaths in Tipton Lakes, which provides pedestrian connections throughout the area. Also, Harrison Ridge Park is approximately a ½ mile north of the subject property and Oakbrook Park is approximately ¾ of a mile northwest of the property, which could both be accessed by these pedestrian connections.

Property Location & Surrounding Zoning





MEMORANDUM

TO: Columbus City Council Members

FROM: Jeff Bergman, AICP
on behalf of the Columbus Plan Commission

DATE: February 24, 2015

RE: *PUD-15-01 (Shadow Creek Farms Preliminary PUD Modification)*

At its February 11, 2015 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 9 in favor and 0 opposed.

Beazer Homes of Indiana, the current developer of the Shadow Creek Farms subdivision, is requesting a modification to the originally approved Planned Unit Development requirements. Please recall that a Planned Unit Development (PUD) is a process provided by the Zoning Ordinance through which a developer and the Plan Commission and City Council negotiate a specific set of development standards and other parameters that replace the typical City zoning requirements for that location. The Shadow Creek Farms Preliminary PUD was approved by the City Council in 1999 and has been modified on several occasions since then (most recently last year). The Preliminary PUD documents, sometimes referred to as the "concept plan" provide overall guidance for the development. Final PUD, or "detailed plans", for this development are finalized between the Plan Commission and the developer as each section of lots is developed. All Final PUD Plans must comply with the approved Preliminary PUD.

Beazer is currently requesting that an area of the development that is currently limited to homes designed to be accessed from an alley be allowed instead to have homes with driveways from the street. This request would affect 23 lots located on the north side of Shadow Creek Boulevard and 22 lots located on the south side of Shadow Fox Drive / Creekridge Drive. The rear yards of the affected lots adjoin each other. Beazer has indicated that the change would allow them to build more typical homes on the lots in question rather than those using an alley (which they indicate are less popular with homebuyers). Beazer is also proposing some other, minor changes to the lot arrangement in this area.

The inclusion of an alley in the original design of this portion of the development was intended to limit access onto Shadow Creek Boulevard. This Boulevard extends through the center of the development and acts as a "spine" from which the other streets extend. It connects County Road 200 South on the north side of the development with County Road 150 East to the east. It was originally envisioned as a "collector" street that would have limited access. The City's current zoning regulations permit homes to have driveway access to collector streets elsewhere in Columbus.

No members of the public spoke at the Plan Commission public hearing on this request.

In making its favorable recommendation the Plan Commission added a condition that on-street parking be prohibited in front of the section of lots that will have direct driveway access to Shadow Creek Boulevard in order to preserve good visibility for drivers and those backing from driveways on this comparatively busier street.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the Preliminary PUD Plan modification,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the staff report from the February 11, 2015 Plan Commission meeting,
4. annotated text of Shadow Creek Farms Preliminary PUD Statement of Conditions #14 indicating the proposed changes, and
5. copies of the Shadow Creek Farms Preliminary PUD Phasing Plan map indicating the current and proposed design for the area in question.

Please feel free to contact me if you have any questions regarding this matter.

ORDINANCE NO.: _____, 2015

**AN ORDINANCE AMENDING THE
SHADOW CREEK FARMS
PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN**

**To be known as the: Shadow Creek Farms Preliminary PUD Modification
(driveway access to Shadow Creek Boulevard)
Plan Commission Case No.: PUD-15-01**

WHEREAS, the Shadow Creek Farms Preliminary PUD Plan was established by the Columbus Common Council on November 16, 1999 through Ordinance 28,1999 and has been amended periodically as needed; and

WHEREAS, this modification to the Preliminary PUD was requested by Beazer Homes of Indiana LLP which is the developer of Shadow Creek Farms and the owner of the remaining undeveloped property at this location; and

WHEREAS, the Columbus Plan Commission did, on February 11, 2015, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

WHEREAS, the Common Council of the City of Columbus, Indiana has considered the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance.

NOW THEREFORE BE IT ORDAINED by the Common Council of the City of Columbus, Indiana, as follows:

SECTION 1: Shadow Creek Farms Preliminary PUD Plan Modified

The Shadow Creek Farms Preliminary PUD Plan modifications regarding driveway access to Shadow Creek Boulevard are approved as described below:

1. The Phasing Plan Map is amended as follows:
 - a. The "Lake Ridge Lane" alley that runs parallel to and between Shadow Fox Drive / Creekridge Drive and Shadow Creek Boulevard in Sections 6A and 6B is deleted.
 - b. The area of lots which had been shown as having driveway access from the Lake Ridge Lane alley is revised to portray (1) a terminus to the existing portion of the alley 4 lots to the east of Rolling Knoll Lane and (2) a total of 45 lots at a minimum of 42 feet in width each. These 45 lots will be provided with vehicle access via individual driveways from Shadow Fox Drive, Creekridge Drive, or Shadow Creek Boulevard, as appropriate.
 - c. The resulting eastern "dead-end" of the Lake Ridge Lane alley shall be labeled as being a "Conceptual Design Only: Final design details shall be subject to the approval of the Columbus Fire Department, City Engineer's Office, and Plan Commission at the time of Final PUD Plan approval for Section 6A".
 - d. A temporary dead end street extension (a "stub" street) providing access to the adjacent property to the north is shown between Lots 574 and 575 along the north side of Creekridge Drive. In order to facilitate the provision of this stub street the area of lots on the east side of Creekridge Drive is extended to meet Shadow Creek Boulevard thereby eliminating an area of common area at the east corner of the Shadow Creek Boulevard / Creekridge Drive intersection.

2. The Statement of Conditions document is amended such that Condition #14 reads as follows:

"TRAFFIC CIRCULATION WITHIN THE DEVELOPMENT. The Development will include a street extending from County Road 200 South to County Road 150 West. This street will be developed as a collector road. The collector road will be constructed using traffic calming techniques, including pavement which in general will be approximately 28 feet in width, using vertical curbs instead of roll curbs, using 5 foot wide sidewalks (rather than 4 foot wide as in other portions of the Project), and having no curb cuts or driveway accesses except those for the amenity area, other common areas, and those for the homes located in Section 6B (with Section 6B being limited to a maximum of 23 lots located on the north side of the collector street, Shadow Creek Boulevard, between its intersections with Creekridge Drive and Rolling Knoll Lane). The right-of-way for the collector road will be designed between 50 and 60 feet wide, subject to the detailed site plan approval process, and except where boulevards, turn lanes, or the like require otherwise. The collector road will otherwise be constructed to substantially comply with all City of Columbus standards for collector roads. The collector road shall be posted as "No Parking This Side" along the entire frontage of and on the same side of the street as Section 6B, with such posting to meet all requirements of the City Engineer."

SECTION 2: Repealer

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

SECTION 3: Severability

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

SECTION 4: Effective Date

This ordinance shall be effective upon and after the date and time of its adoption, as provided in Indiana law.

ADOPTED, by the Common Council of the City of Columbus, Indiana, this _____ day of _____, 2015 at _____ o'clock _____.m., by a vote of _____ ayes and _____ nays.

Presiding Officer

ATTEST:

Luann Welmer
Clerk-Treasurer of the City of Columbus, Indiana

Presented to me, the Mayor of Columbus, Indiana, the _____ day of _____, 2015 at _____ o'clock _____.m.

Kristen Brown
Mayor of the City of Columbus, Indiana

RESOLUTION: PUD-15-01

of the City of Columbus, Indiana Plan Commission

regarding

Case number PUD-15-01

**[Shadow Creek Farms Preliminary PUD Plan Modification
(driveway access to Shadow Creek Boulevard)],**

a proposal to modify the Shadow Creek Farms Preliminary Planned Unit Development

WHEREAS, the Plan Commission has received the application referenced above from Beazer Homes of Indiana LLP; and

WHEREAS, the applicant represents all parties and property owners involved in the request; and

WHEREAS, the Plan Commission did, on February 11, 2015, hold a public hearing consistent with the applicable requirements of Indiana law, the Columbus & Bartholomew County Zoning Ordinance, and the Plan Commission Rules of Procedure; and

WHEREAS, the Plan Commission did pay reasonable regard to the criteria contained in Section 5.3(D)(3) of the Columbus & Bartholomew County Zoning Ordinance; and

WHEREAS, the Plan Commission recognizes that its action on this matter represents a recommendation to the Common Council of the City of Columbus, Indiana, which will be responsible for final action on the request.

NOW THEREFORE BE IT RESOLVED, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The request to modify the Shadow Creek Farms Preliminary PUD Plan as described below is forwarded to the Common Council with a favorable recommendation:
 - a) The Phasing Plan Map is amended as follows:
 - i. The "Lake Ridge Lane" alley that runs parallel to and between Shadow Fox Drive / Creekridge Drive and Shadow Creek Boulevard in Sections 6A and 6B is deleted.
 - ii. The area of lots which had been shown as having driveway access from the Lake Ridge Lane alley is revised to portray (1) a terminus to the existing portion of the alley 4 lots to the east of Rolling Knoll Lane and (2) a total of 45 lots at a minimum of 42 feet in width each. These 45 lots will be provided with vehicle access via individual driveways from Shadow Fox Drive, Creekridge Drive, or Shadow Creek Boulevard, as appropriate.
 - iii. The resulting eastern "dead-end" of the Lake Ridge Lane alley shall be labeled as being a "Conceptual Design Only: Final design details shall be subject to the approval of the Columbus Fire Department, City Engineer's Office and Plan Commission at the time of Final PUD Plan approval for Section 6A".
 - iv. A temporary dead end street extension (a "stub" street) providing access to the adjacent property to the north is shown between Lots 574 and 575 along the north side of Creekridge Drive. In order to facilitate the provision of this stub street the area of lots on the east side of Creekridge Drive is extended to meet Shadow Creek Boulevard thereby eliminating an area of common area at the east corner of the Shadow Creek Boulevard / Creekridge Drive intersection.
 - b) The Statement of Conditions document is amended such that Condition #14 reads as follows:

"TRAFFIC CIRCULATION WITHIN THE DEVELOPMENT. The Development will include a street extending from County Road 200 South to County Road 150 West. This street will be developed as a collector road. The collector road will be constructed using traffic calming techniques, including pavement which in general will be approximately 28 feet in width, using vertical curbs instead of roll curbs, using 5 foot wide sidewalks (rather than 4 foot wide as in other portions of the Project), and having no curb cuts or driveway accesses except those for the amenity area, other common areas, and those for the homes located in Section 6B (with Section 6B being limited to a maximum of 23 lots located on the north side of the collector road, Shadow Creek Boulevard, between its intersections with Creekridge Drive and Rolling Knoll Lane). The right-of-way for the collector road will be designed between 50 and 60 feet wide, subject to the detailed site plan approval process, and except where boulevards, turn lanes, or the like require otherwise. The collector road will otherwise be constructed to substantially comply with all City of Columbus standards for collector roads. The collector road shall be posted as "No Parking This Side" along the entire frontage of and on the same side of the street as Section 6B, with such posting to meet all requirements of the City Engineer."

- 2) This resolution shall serve as the certification required for such Preliminary PUD modifications by Columbus & Bartholomew County Zoning Ordinance Section 5.3(D)(5).

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 11th DAY OF FEBRUARY 2014 BY A VOTE OF 9 IN FAVOR AND 0 OPPOSED.

Signed copy on file in the Planning Department

Roger Lang, President

ATTEST:

Signed copy on file in the Planning Department

David L. Fisher, Secretary



STAFF REPORT

CITY OF COLUMBUS PLAN COMMISSION (February 11, 2015 Meeting)

Docket No. / Project Title: PUD-15-01 (Shadow Creek Farms Preliminary PUD, Condition #14 – Traffic Circulation and Alley Load Product)

Staff: Melissa Begley

Applicant: Beazer Homes

Property Size: 322.214 Acres

Current Zoning: PUD (Planned Unit Development)

Location: South of County Road 200 South between County Roads 225 West and 150 West, in the City of Columbus

Background Summary:

The proposal is an amendment to the Preliminary PUD Plan for Shadow Creek Farms. The Preliminary PUD Plan for Shadow Creek Farms was approved in 1999 (PUD-99-2) for a subdivision of 886 residential lots and 110 acres of open space. At this time, residential Sections 1, 2, 3, 4, 5, 7A and 7B have been completed. The Final PUD Plans and Preliminary and Final Plats for Sections 8 and 9 have been approved. The Final PUD Plans and Preliminary Plats for Section 10 and 6A have been approved and the Final Plats are under review. Sections 6B and 11 have not been developed at this time.

The applicant is requesting to eliminate the alley load housing product that was proposed in sections 6A and 6B. They have proposed removing the alley between Creekridge Drive and Shadow Creek Boulevard and would like to provide driveways onto Shadow Creek Boulevard. This will require amending the Preliminary PUD of the Statement of Conditions #14 which currently prohibits driveways onto Shadow Creek Boulevard.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

1. Is the reconfiguration of Section 6 to eliminate the alley load house product appropriate?
2. Are driveways on Shadow Creek Boulevard, which is classified as a collector, appropriate?
3. Is the spacing of driveways, less than 50 feet apart appropriate on a collector?
4. Will the presence of the front load garage homes in contrast with the alley load homes across the street, harm the character of the neighborhood?

Preliminary Staff Recommendation & Comments:

Favorable Recommendation to the City Council with the condition that signs be provided on Shadow Creek Boulevard for parking on one-side – the alley product side.

Plan Commission Options:

In reviewing a request for a Preliminary PUD the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to a future Plan Commission meeting. The Plan Commission may attach conditions to any recommendation which are to

become written commitments of the applicant. The City Council makes all final decisions regarding Preliminary PUD applications.

Decision Criteria:

The Shadow Creek Farms Planned Unit Development was initially approved in 1999 under the procedures specified by the Zoning Ordinance at that time. A different PUD procedure was established with the replacement of the Zoning Ordinance in 2008. Under the original approval procedure the property was rezoned to PUD at the time the City Council approved the preliminary PUD. Current Zoning Ordinance Section 5.1(E) establishes the intent of the Zoning Ordinance for pre-2008 PUDs to follow the procedures in place at the time of their original adoption. Therefore, the Plan Commission and City Council should pay reasonable regard to the following when considering this Preliminary PUD modification (a rezoning).

The Comprehensive Plan.

Preliminary Staff Comments: The future land use plan identifies this area as residential and the site is currently surrounded by single family residential houses. The Comprehensive Plan encourages street designs which complement neighborhoods (narrower pavement in residential areas, traffic calming measures, alleys). Shadow Creek Boulevard was built as a collector street with traffic calming measures to encourage slower traffic. Traffic will continue to move safely and efficiently with the addition of the driveways and be appropriate for the character of the neighborhood.

The current conditions and the character of current structures and uses in each district.

Preliminary Staff Comments: This residential subdivision has been under construction for the last 14 years and is now over halfway completed. The lots being reconfigured are surrounded by existing houses to the north, west and south. The reconfigured lots will be similar in size to those that were originally proposed. Opossum Creek and an area of open space is located to the east.

The most desirable use for which the land in each district is adapted.

Preliminary Staff Comments: The most desirable use for the land in this district is residential. The modifications being proposed will only impact lots internal to the subdivision.

The conservation of property values throughout the jurisdiction of the City of Columbus.

Preliminary Staff Comments: The property values should not be impacted in a negative way. The amendment to the Preliminary PUD is in character with the surrounding properties and where single family residential use is dominant. Changing the lot arrangement will not affect the property values of the adjacent homes.

Responsible growth and development.

Preliminary Staff Comments: Houses with forward facing garages are common. The reconfiguration will allow driveways to directly access Shadow Creek Boulevard, rather than an alley from behind and will generate additional traffic directly onto Shadow Creek Boulevard. The additional cars will not cause a significant disruption to the roadway network. No other driveways in the subdivision directly access Shadow Creek Farms. Further, by our standards today, driveways are permitted onto collector streets.

| Current Property Information: | |
|-------------------------------|--|
| Land Use: | Single family residential/Undeveloped ground |
| Site Features: | Undeveloped sections of Shadow Creek Farms, single family homes, detention ponds, common areas |
| Flood Hazards: | Floodway, 100 year flood fringe, 500 year flood fringe along Denois Creek and Opossum Creek |

| | |
|---|--|
| Special Circumstances: (Airport Hazard Area, Wellfield Protection Area, etc.) | The subdivision is located in the Wellfield Protection Area. |
| Vehicle Access: | County Road 200 South (Minor Arterial, Residential, Suburban) and County Road 150 West (Minor Arterial, Residential, Suburban) |

| Surrounding Zoning and Land Use: | | |
|---|--|--|
| | Zoning: | Land Use: |
| North: | RS2 (Residential: Single Family 2) RS3 (Residential: Single Family 3) | Wildflower Estates, Agriculture farm fields, large lot single family residential |
| South: | AP (Agriculture: Preferred) | Agriculture farm fields |
| East: | AP (Agriculture: Preferred) RS2 (Residential: Single Family 2) | Agriculture farm fields, large lot single family residential |
| West: | AP (Agriculture: Preferred) | Agriculture farm fields, large lot single family residential |

| Interdepartmental Review: | |
|----------------------------------|--|
| City Utilities: | No comments received. |
| Fire Department: | The elimination of the alley behind these lots will not hamper Columbus Fire Departments ability to fight a fire in this area should one take place. I would question the terminations of the roads adjacent to lots 478-479 and 476-477. While I understand fire equipment can access these lots from the other side I would request that these roads be marked with "no outlet" or "dead end" signage unless the turnarounds meet international fire code requirements for fire equipment. |
| City Engineer: | No issues with the proposed Preliminary PUD amendment. |
| CAMPO: | No comments received. |

History of this Location:

The proposal is an amendment to the Preliminary PUD Plan for Shadow Creek Farms. The Preliminary PUD Plan for Shadow Creek Farms was approved in 1999 (PUD-99-2) for a subdivision of 886 residential lots and 110 acres of open space. At this time, Sections 1, 2, 3, 4, 5, 7A and 7B have been completed. The Final PUD Plan and Preliminary and Final Plats for Sections 8 and 9 have been approved. The Preliminary Plats for Section 10 and 6A have been approved and the Final Plats are under review. Sections 6B and 11 have not been developed at this time.

Comprehensive Plan Consideration(s):

The Future Land Use Map indicates the future use of this property as residential:

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-2-14:** Encourage street design which complements neighborhoods (narrower pavement in residential areas, traffic calming measures, alleys)
Streets should move traffic safely and efficiently, but at the same time, they should be designed to further neighborhood goals. Traffic should move slowly through residential areas, and street widths and configuration should be in character with the neighborhoods in which they are located.
2. **POLICY D-2-3:** Allow for various housing types.
A diverse population needs diverse housing. The city should encourage a variety of housing types, including single-family detached houses, townhouses and apartments.
3. **POLICY F-1-1:** Reduce points of traffic conflict on public streets through driveway and intersection separation requirements.
Traffic flows more smoothly and safely when there are fewer points of conflict and fewer places where turning movements take place. Proper spacing of driveways and intersections reduces these conflict points and improves traffic safety.

This property is located in the Western Hills character area. The following planning principles apply to this application: Encourage neighborhood business centers in convenient locations as new residential areas are developed.

The following Thoroughfare Plan guiding principle(s) and/or policy(ies) apply to this application:

1. **Collector Streets:** Collector Streets play a significant role in both mobility and access and are often integrated into neighborhoods, rather than bordering them as so arterial streets. This duality of purpose requires special attention to design features for collector streets in order to provide the proper balance of mobility and access. Access from adjoining property should be secondary to the movement of traffic."
2. **7 – Alleys:** Alleys are particularly important in existing and new traditional neighborhoods where they play a significant role in creating a walkable area with quality urban character by moving garages and utilities to the rear of the property.

Planning Consideration(s):

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicant has stated that they would like to alter the Preliminary PUD Plan and remove the alley load housing product from Sections 6A and 6B. With this reconfiguration they would eliminate the alley currently shown on the phasing plan between Creekridge Drive and Shadow Creek Boulevard. Instead of the alley load housing product, the applicant is proposing the standard front facing garage housing product and would provide individual driveways for these lots onto Shadow Creek Boulevard instead of accessing the alley from behind. Shadow Creek Boulevard was created to collect the traffic from the local streets within the subdivision. The alley load housing product and limited access on Shadow Creek Boulevard was established to limit driveways and intersections and allow traffic to flow freely onto 200 South or 150 West.
2. Condition #14 of the Statement of Conditions refers to traffic circulation within the development. Shadow Creek Boulevard was built as a collector street as specified in the condition. The condition further states that "driveways will not have direct access to the collector street". The applicant has modified the condition to only allow driveways on Shadow Creek Boulevard for Section 6B. This would ensure that no other existing lots would be permitted a second driveway onto Shadow Creek Boulevard.
3. With the reconfiguration, approximately 23 lots would have driveways on Shadow Creek Boulevard. Currently, there are no driveways that have direct access onto Shadow Creek Boulevard. Other lots that are located along Shadow Creek Boulevard are accessed from either an interior local road or an alley.
4. Section 7.3(Part 1)(C)(3)(b) of the Zoning Ordinance states "All properties occupied by a farm or a single or two-family residential use shall be permitted one access point from any Local or Collector Street. All access points shall on a Collector Street shall be separated by a minimum of 50 feet.

Access to Arterial streets from any lot platted after the effective date of this ordinance shall be prohibited.” The lots being proposed are 40 feet in width, which means there will be driveways located closer than 50 feet apart.

5. The construction for Shadow Creek Boulevard was detailed in the Statement of Conditions - Condition #14. The table below shows a comparison of Shadow Creek Boulevard with the current Subdivision Control Ordinance standards for a typical Collector, Suburban, Residential Street.

| | Current Thoroughfare Plan Standards for a Collector | Shadow Creek PUD Standards for a Collector |
|-----------------------|--|---|
| Traffic Lane width | 10 feet | 14 feet |
| Bike Lane | Required - 4 foot | None provided |
| Parking Lane | Permitted but not required – 8 feet in width | None provided |
| Curb and Gutter width | Required - 2 feet | 2 feet |
| Tree Lawn width | Required - 5 feet | 5 feet |
| Sidewalk width | Required - 5 feet | 5 feet |
| R-O-W Width | No less than 65 feet | 50 feet |

6. There are 14 lots with Alley load product located on the south side of Shadow Creek Boulevard. The alley load product has a building setback of 15 feet from the property line. As originally proposed, there would have been the same product on the north side of the road with the same setback. With the front facing garage, the building setback will become 25 feet and will be setback farther on the lot than the alley load product.
7. With the reconfiguration, the lots along Creekridge Drive and Shadow Creek Boulevard will gain 15 extra feet in length due to the alley being eliminated. Each lot will also be narrowed from 42 feet in width to 40 feet in width. The previous layout contained 47 buildable lots and the new layout will contain 45 lots.
8. Located east of Rolling Knoll Lane, there are 8 alley load lots that will remain. There are currently houses on these lots. The applicant has provided a T-shaped turnaround at this location where the future proposed alley will be eliminated. The Fire Department has provided a comment regarding this turnaround and the details of the turnaround will be reviewed at a later time.
9. The applicant has added a stub street in Section 6A to the undeveloped 40 acre parcel located to the north. Staff had made this recommendation previously, in that the stub street would allow for future development of that parcel. The location of Opossum Creek makes the southwest portion of the parcel inaccessible without the installation of a bridge or culvert. The stub street will allow for additional possibilities for future development of that parcel.

**Shadow Creek Farms Preliminary PUD Plan
Statement of Conditions #14 Proposed Revisions**

~~strikethrough~~ – text to be deleted

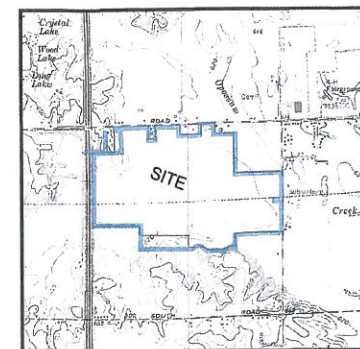
underline – text to be added

TRAFFIC CIRCULATION WITHIN THE DEVELOPMENT. The Development will include a street extending from County Road 200 South to County Road 150 West. This street will be developed as a collector road. The collector road will be constructed using traffic calming techniques, including pavement which in general will be approximately 28 feet in width, using vertical curbs instead of roll curbs, using 5 foot wide sidewalks (rather than 4 foot wide as in other portions of the Project), and having no curb cuts or driveway accesses except ~~those as approved by the City~~ for the amenity area, ~~or~~ other common areas, ~~or improvements within the project or otherwise approved by the City and those for the homes located in Section 6B (with Section 6B being limited to a maximum of 23 lots located on the north side of the collector road, Shadow Creek Boulevard, between its intersections with Creekridge Drive and Rolling Knoll Lane). The collector street will not have driveways having direct access to it.~~ The right-of-way for the collector road will be designed between 50 and 60 feet wide, subject to the detailed site plan approval process, and except where boulevards, turn lanes, or the like require otherwise. The collector road will otherwise be constructed to substantially comply with all City of Columbus standards for collector roads. The collector road shall be posted as "No Parking This Side" along the entire frontage of and on the same side of the road as Section 6B, with such posting to meet all requirements of the City Engineer.

THIS INSTRUMENT PREPARED FOR:
BEAZER HOMES
9202 N. MERIDIAN STREET, SUITE 300
INDIANAPOLIS, INDIANA 46260

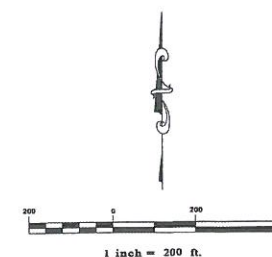
| DENSITY CALCULATIONS | | | | |
|----------------------|---------------|---------|---------|-------------------|
| SECTION | HOUSING UNITS | ACRES | DENSITY | TYPE |
| 1 | 98 | 27.864 | 3.52 | LAKESIDE, ENCLAVE |
| 2 | 82 | 17.351 | 4.72 | LAKESIDE |
| 3 | 129 | 82.078 | 1.67 | |
| 4 | 79 | 13.908 | 5.66 | |
| 5 | 111 | 43.725 | 2.53 | |
| 6A | 48 | 19.027 | 2.52 | |
| 6B | 33 | 5.555 | 5.94 | |
| 7A | 45 | 11.483 | 3.92 | |
| 7B | 31 | 4.546 | 6.81 | |
| 8 | 32 | 21.140 | 1.51 | |
| 9 | 61 | 27.449 | 1.88 | |
| 10 | 72 | 33.822 | 2.14 | |
| 11 | 74 | 14.486 | 5.11 | |
| TOTAL | 885 | 322.214 | 3.75 | |











Currently Approved Lot Arrangement



VICINITY MAP

1. Improvements to the intersection of County Road 150 West and 200 South shall be made with Section 5 (Preliminary PUD Condition 12, Near Site Traffic Improvements).
2. A four-foot wide sidewalk to Southside School shall be built with Section 6 (Preliminary PUD Condition 18, Pedestrian Trails) on the south side of County Road 200 South.
4. On the Deaver Road changes the developer shall pay the cost of improvements to Half of Deaver Road.
5. Improvements to County Road 225 West shall be completed if and when traffic generated by the development necessitates such improvements (Preliminary PUD Condition 12, Near Site Traffic Improvements).



-  42' REAR LOAD
 40'
 50'
 55'
 60'
 61'
 66'
 STREETS
 SIDEWALKS
 COMMON AREA
 (C.A.)
 LAKES
 BURIAL SITE

NOTE: PATH WILL BE INSTALLED AS SECTIONS ARE DEVELOPED

| DATE | SCALE | REVISION | DESCRIPTION | BY | CHK'D BY | DATE |
|----------|---------|----------|---|-----|----------|------|
| 03/28/12 | 1"=200' | | ADDED LAKE AND PHASING PLAN | SCS | | NOB |
| 4/14/08 | | | ADDED NOTE TO PHASING PLAN | SCS | | NOB |
| 4/14/08 | | | REVISED LOTS, SECTIONS, CHMIT AND ADDED PATHS | CK | | NOB |
| 3/7/00 | | | REVISED SECTIONS AND CHART | WAB | | NOB |
| 8/29/05 | | | REVISED SECTION 4 AND 5 LINES AND CHART NUMBERS | | | NOB |
| 5/22/02 | | | REVISED SECTION LAYOUTS AND PHASING | | | NOB |
| 8/1/00 | | | ADD DENSITY TABLE | | | NOB |

ND SURVEYORS
FAX:(317) 849-5942

CONSULTING
(317) 849-5935

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PHASING PLAN

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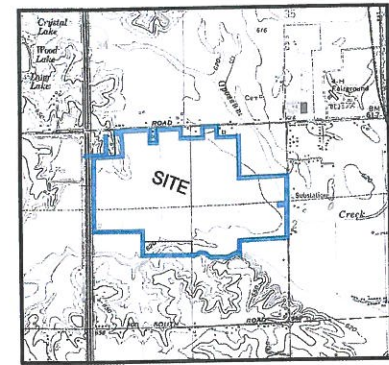
SHEET NO.
1
OF 1 SHEET
JOB NO. 34255



THIS INSTRUMENT PREPARED FOR:
BEAZER HOMES
9202 N. MERIDIAN STREET, SUITE 300
INDIANAPOLIS, INDIANA 46260

| DENSITY CALCULATIONS | | | | |
|----------------------|---------------|----------------|-------------|-------------------|
| SECTION | HOUSING UNITS | ACRES | DENSITY | TYPE |
| 1 | 98 | 27.864 | 3.52 | LAKESIDE, ENCLAVE |
| 2 | 82 | 17.351 | 4.72 | LAKESIDE |
| 3 | 129 | 82.078 | 1.57 | |
| 4 | 79 | 13.906 | 5.86 | |
| 5 | 111 | 43.725 | 2.53 | |
| 6A | 54 | 21.657 | 2.49 | |
| 6B | 23 | 2.915 | 7.89 | |
| 7A | 46 | 11.463 | 3.92 | |
| 7B | 31 | 4.545 | 6.81 | |
| 8 | 32 | 21.140 | 1.51 | |
| 9 | 51 | 27.449 | 1.86 | |
| 10 | 72 | 33.622 | 2.14 | |
| 11 | 74 | 14.488 | 5.11 | |
| TOTAL | 881 | 322.214 | 2.73 | |

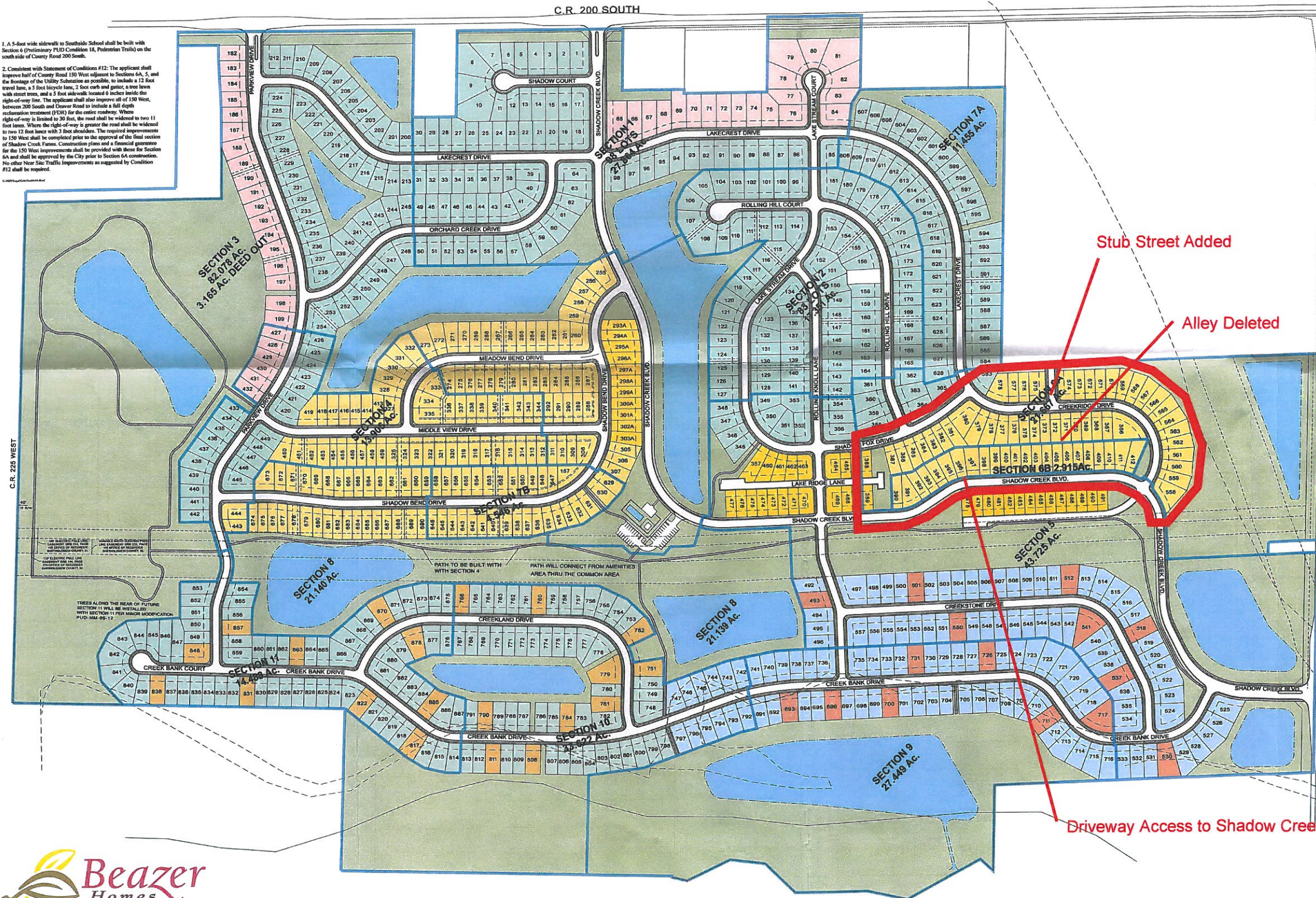
Proposed Lot Arrangement



| Q | DATE | MARK | REVISIONS | BY |
|----------|------|------|---|----|
| 12/21/14 | | | REVISED SEC 5A / 5B - removed the word 10A | |
| 12/19/14 | | | REMOVED SECTION 5C | |
| 12/18/14 | | | SPOT CHECK TO 5A & 5B - ADDED LINE TO PERM 5A | |
| 06/29/12 | | | ADDED LINE TO PERM 5A | |
| 06/29/12 | | | ADDED LINE AND REMOVED TRACT A | |
| 10/19/08 | | | ADDED NOTE TO PERM 5A | |
| 04/18/08 | | | REVISED SECTIONS, CHART AND ADDED PARAS | |
| 04/18/08 | | | REVISED SECTIONS AND CHART | |
| 04/18/08 | | | REVISED SECTION A AND LINE AND CHART NUMBERS | |
| 04/18/08 | | | REVISED SECTION A/COUNTS AND PARAS | |
| 04/18/08 | | | ADD CHARTY TABLE | |

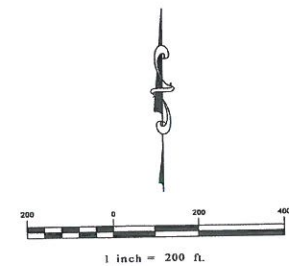
1 A 5-foot wide sidewalk to Southside School shall be built with
2 Section 6 (Preliminary PUD Conditional 18, Pedestrian Trail) on
3 the south side of County Road 200 South.













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✓ Alley Deleted

Driveway Access to Shadow Creek Blvd. Permitted



-  42' REAR LOAD
 40'
 50'
 55'
 60'
 61'
 66'
 STREETS
 SIDEWALKS
 COMMON AREA
 (C.A.)
 LAKES
 BURIAL SITE

AND SURVEYORS
FAX: (317) 849-5942

CONSULTING
(317) 849-5935



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| INDIANA | |
|---------|--|

PHASING PLAN

SHADOW CREEK FARMS

COLUMBUS

SHEET NO.
1
OF 1 SHEETS
JOB NO. 34255



REVISED: MARCH 1, 2008
REVISED: APRIL 4, 2006
REVISED: DECEMBER 15, 2014
REVISED: DECEMBER 31, 2014

NOTE: PATH WILL BE INSTALLED AS
SECTIONS ARE DEVELOPED

RESOLUTION NO. _____, 2015

**A RESOLUTION TO AUTHORIZE THE CITY OF COLUMBUS
REDEVELOPMENT COMMISSION TO EXPEND FUNDS IN EXCESS OF
\$500,000 FOR ROAD RECONSTRUCTION IN THE CENTRAL TIF DISTRICT**

WHEREAS, the City of Columbus Department of Redevelopment, more commonly known as the City of Columbus Redevelopment Commission (the "Commission") created the Central TIF District;

WHEREAS, the Commission identified the need to reconstruct certain roads and roadways within the Central TIF District including 1) Deaver Road from I-65 to County Road 150W; 2) Arcadia Drive from Indianapolis Road to Terminus; 3) Indianapolis Road from Flatrock Bridge to U.S. 31; 4) Franklin Street from Second to Third Street; 5) Morgan Willow Trace from Merchant Mile to State Road 46; and 6) Lindsay Street from Third to Eighth Street (collectively referred to herein as the "Project") which would be funded with current TIF funds;

WHEREAS, the Commission has determined that the Project is for the benefit of commerce, economic interest and development, social interest and public utility for the City of Columbus and the Central TIF District;

WHEREAS, the Commission estimated the costs for the Project with the assistance of the City's Engineering Department and City Engineer;

WHEREAS, the Commission is recommending expenditures for the Project in an amount not to exceed \$2,260,821.33 (see Commission Resolution 3-2015 attached hereto as Exhibit "A");

WHEREAS, pursuant to Columbus Municipal Code Section 2.88.20, any proposed expenditure by the Commission in excess of \$500,000 is subject to City of Columbus Common Council approval; and

WHEREAS, the Commission has asserted that sufficient TIF funding exists to cover the total expenditure of the Project.

NOW THEREFORE BE IT RESOLVED BY THE COLUMBUS COMMON COUNCIL THAT the expenditure in an amount not to exceed \$2,260,821.33 for road and roadway reconstruction within the Central TIF District as set forth above by the City of Columbus Redevelopment Commission is hereby approved.

ADOPTED BY THE COMMON COUNCIL OF COLUMBUS, INDIANA,
on this the ____ day of _____, 2015, by a vote of ____ ayes and ____ nays.

Kristen S. Brown, Mayor
Presiding Officer of the Common Council

ATTEST:

Luann Welmer
Clerk of the Common Council

Presented by me to the Mayor of Columbus, Indiana, this _____ day
of _____, 2015 at _____ o'clock _____M.

Luann Welmer
Clerk-Treasurer

Approved and signed by me this _____ day of _____, 2015, at
_____ o'clock _____M.

Kristen S. Brown
Mayor of the City of Columbus, Indiana

RESOLUTION NO: 3-2015

RESOLUTION OF THE COLUMBUS REDEVELOPMENT COMMISSION
TO
CONDUCT FULL DEPTH RECLAMATION
ROAD REBUILDING IN THE CENTRAL T.I.F. DISTRICT

Comes now the City of Columbus Department of Redevelopment, more commonly known as the City of Columbus Redevelopment Commission, and for this Resolution, says as follows:

WHEREAS, Indiana Code §36-7-14-1 *et seq.* provides that a community may establish a Department of Redevelopment to be controlled by a Redevelopment Commission; and

WHEREAS, the City of Columbus, through its Common Council, did on August 19, 2003 create the City of Columbus Department of Redevelopment and the City of Columbus Redevelopment Commission ("Redevelopment Commission") by way of Ordinance Number 25, 2003; and

WHEREAS, with in the Central TIF district certain roads benefit the economic development and ongoing business; and

WHEREAS, the roads necessary for rebuilding have been damaged by vehicular traffic, specifically truck traffic, and said damage has caused drainage problems on some of the said roads.

NOW, THEREFORE, BE IT RESOLVED:

1. The City of Columbus Redevelopment Commission having heard from the City of Columbus Engineer, Elizabeth Fize, now finds and concluded that the following roads within the Central TIF district are in need of rebuilding to further enhance economic development and ongoing business:

Deaver Road from I-65 to County Road 150 W; and
Arcadia Drive from Indianapolis Road to Terminus; and
Indianapolis Road from Flatrock Bridge to U.S. 31; and
Franklin from Second to Third Street; and
Morgan Willow Trace from Merchant Mile to State Road 46; and
Lindsey Street from 3rd Street to 8th Street,

for a total of 3.10 miles.

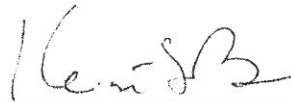
2. The rebuilding of these roads utilizing the full depth reclamation process is beneficial to commerce, economic interest and development, social interest and public utility to the City of Columbus.

4. The Redevelopment Commission does hereby undertake these road and will reimbursed the City for said service by the Redevelopment Commission pursuant to Ind. Code § 36-7-14-39(b)(2)(G).

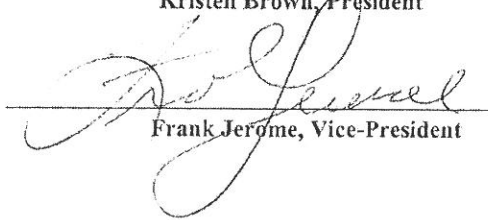
5. The Redevelopment Commission does hereby recommend favorably to the City of Columbus Common Council to approve such expenditure.

6. The Redevelopment Commission hereby authorizes the expenditure from the Central TIF District in the sum of \$ 2,260,821.33.

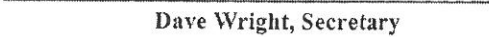
Adopted this __16th__ day of February, 2015.



Kristen Brown, President



Frank Jerome, Vice-President



Dave Wright, Secretary